

Agenda

Environmental Protection Commission

08/15/94

10:00 AM

Wallace State Office Building, Fourth Floor Conference Room

Public Participation

Appointment:- Don Grell (Item #14-A)

Appointment:- Ron Newman (Item #13)

10:30 A.M.

1:15 p.m.

1:45 p.m.

Agenda topics

1. Approve Agenda
2. Approve Minutes of July 18, 1994
3. Director's Report Larry Wilson (Information)
4. Approval of FY96 & FY97 Budget Request Guidelines Stan Kuhn (Decision)
5. FY 95-96 Toxic Cleanup Day Hazardous Waste Contractor Approval Stan Kuhn (Decision)
6. Contract with ISU Watershed-based Approach to Wasteload Allocation Stan Kuhn (Decision)
7. Flow Control (Great River Recycling Report) Teresa Hay (Information)
8. Landfill Alternatives Financial Assistance Program Teresa Hay (Information)
9. Monthly Reports Allan Stokes (Information)
10. Proposed Rule--Chapters 20 and 31, Air Quality General Conformity in Nonattainment Areas Allan Stokes (Information)
11. Proposed Rule--Chapters 40 and 43, Water Supply Permit Fees Allan Stokes (Information)
12. Final Rule--Chapters 60, 62, and 65, Wastewater Treatment Allan Stokes (Decision)
13. Petition for Rulemaking - A-TEC Recycling, Inc. Allan Stokes (Decision)
14. Referrals to the Attorney General Allan Stokes (Decision)
 - a) Don Grell (Ft. Dodge) **TABLED**
 - B) Buffalo Bill Estates (Camanche)
15. General Discussion
16. Address Items for Next Meeting

Next
Meetings

September 19, 1994

October 17, 1994

ENVIRONMENTAL PROTECTION COMMISSION

Monday, August 15, 1994

NAME

COMPANY OR AGENCY

CITY

(PLEASE PRINT)

Stephen Intlekofer

American Asbestos
TRAINING Center - IEL
IES Industries

Montreal
Quebec

STEVE BUYER

Cedar Rapids

DICK & BONNIE BEINGTSON

SELF

JEWELL, Ia

Jane McAllister

Ankers Law Firm

Des Moines

Amy Christensen Couch

Sullivan & Ward

DM

DAN UEST

GROWMARK, INC

BLOOMINGTON, IL

Tom Seery

ASSOC. PRESS

DM

Theresa Kelce

IOWA Senate

DSM

Chris Gault

Farm Bureau

WDSM

Don E. Galt

Dodger Enterprise

Fort Dodge,

~~Don E. Galt~~

~~Don E. Galt~~

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MINUTES
OF THE
ENVIRONMENTAL PROTECTION COMMISSION
MEETING

AUGUST 15, 1994

WALLACE STATE OFFICE BUILDING
DES MOINES, IOWA

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MEETING MINUTES

CALL TO ORDER

The meeting of the Environmental Protection Commission was called to order by Chairperson Siebenmann at 10:00 a.m. on Monday, August 15, 1994, in the Wallace State Office Building, Des Moines, Iowa.

MEMBERS PRESENT

Verlon Britt
William Ehm
Rozanne King, Secretary
Charlotte Mohr
Kathryn Murphy
Gary Priebe
Nancylee Siebenmann, Chair
Clark Yeager, Vice-Chair

ADOPTION OF AGENDA

The following adjustments were made to the agenda:

- Add: Appointment - Don Grell (Item #14a) 1:15 p.m.
- Add: Appointment - Ron Newman (Item#13) 1:45 p.m.

Motion was made by Rozanne King to approve the agenda as amended. Seconded by William Ehm. Motion carried unanimously.

APPROVED AS AMENDED

APPROVAL OF MINUTES

Motion was made by William Ehm to approve the meeting minutes of July 18, 1994, as presented. Seconded by Charlotte Mohr. Motion carried unanimously.

APPROVED AS PRESENTED

DIRECTOR'S REPORT

Larry Wilson, Director, reminded the Commission that the State Fair is in taking place and encouraged the Commission to visit the DNR building and see the Environmental Protection Division exhibit as well as the other division's exhibits.

Director Wilson displayed a color copy of the new vehicle license plate for natural resources. He distributed question and answer sheets about the new license plates and related that these might be helpful in answering questions the Commission may receive from the public. He noted that a ten-member committee chose this design from 14 entries. This particular license plate was designed by Ross Harrison, I & E Bureau Chief, and Larry Pool, Graphic Artist for the department. He explained that the bulk of receipts from the license plate sales will go to the REAP program.

Director Wilson reported that Dave Sheridan, Attorney General's Office, will be present during the Monthly Reports item.

APPROVAL OF FY 96 & FY 97 BUDGET REQUEST GUIDELINES

Stan Kuhn, Division Administrator, Administrative Services Division, presented the following item.

Attached is a summary outlining the DNR's recommendations regarding appropriation requests to the DOM. The recommendations relate only to the actions required by the General Assembly relative to funding the DNR's budget for FY96 and FY97. Significant portions of the DNR's budget are funded by State and federal earmarked revenues and grants. Unless the G.A. so chooses, specific appropriations are not required for these earmarked and grant resources.

With the exceptions noted below, this recommendation continues programs at their FY95 levels. The recommendation assumes increases in the Water Supply and Air programs. The Water Supply program is expanding from the current 17.25 FTE to 27.25 FTE in FY95 and an additional 5 FTE to 32.25 in FY96/7. Funding details are not settled, but will be based on fees, possible State support, and federal aid, as intended by the General Assembly.

The Air program is expected to expand by approximately 32 FTE by FY97. This will be supported by fees and federal aid, but a significant number of details remain to be settled. Within available resources, the DNR intends to pursue means of seeking more input from groups and businesses impacted by environmental regulations, and the provision of better and more timely information to those interests. The DNR anticipates using the ICN as one of the primary tools to accomplish this goal. This reflects one of the major issues presented to DOM and the commissions in the "goals and critical issues" document reviewed at the July meetings.

The REAP Congress recommended the DNR request \$10 million per year. This would be an increase compared to the \$7 million appropriated for FY95, but is considerably less than the \$30 million level stated in the REAP statute. (The \$500,000 additional for REAP was added to the \$7 million FY94 appropriation, not FY95.)

An outline of operational priorities related to the operating budget is included. With the exception of responding to legislative intent regarding conservation officers, the packages and priorities are similar to those submitted last year. State law requires submittal of a 75% zero-

based budget. The "base" is the highest priority and represents 75% of the General fund request, plus 100% of earmarked revenues and grants which do not require specific G.A. appropriation. The decision packages are in priority order from highest to lowest.

The commissions are required, by statute, to approve the DNR's budget request. This item is being presented to both commissions. Approval is requested. More detail will be presented at the September meetings. The commissions retain the ability to seek further information and direct adjustments to the budget request, either at the September or subsequent meetings.

DEPARTMENT OF NATURAL RESOURCES
Appropriation Request Summary
FY96 & FY97

APPROPRIATION NAME	FY 93 ACTUAL APPROP	FY94 ACTUAL APPROP	FY95 ACTUAL APPROP	FY96 REQUESTED APPROP	FY97 REQUESTED APPROP
GENERAL FUND-OPERATIONS					
DNR OPERATIONS, COMBINED				11,791,000	11,791,000
ADMINISTRATION OPERATIONS	2,066,624	1,877,244	1,827,012		
PARKS OPERATIONS	5,444,671	5,424,969	5,365,960		
FORESTRY OPERATIONS	1,443,010	1,443,518	1,426,916		
ENERGY AND GEOLOGY OPERATIONS	1,656,091	1,660,573	1,651,984		
ENVIRONMENTAL PROTECTION OPERATIONS	2,092,656	2,083,640	1,518,940		
TOTAL GENERAL FUND OPERATIONS	12,703,052	12,489,944	11,790,812	11,791,000	11,791,000
GENERAL FUND/LOTTERY-SPECIAL					
GREEN THUMB	129,279				
WATER QUALITY PROTECTION FUND			704,000	404,000	404,000
RESOURCE ENHANCEMENT & PROTECTION	8,547,275	7,000,000	7,500,000	10,000,000	10,000,000
MARINE FUEL TAX OPERATIONS	411,311	411,311	411,311	411,311	411,311
MARINE FUEL TAX CAPITALS	1,463,000	1,650,000	1,650,000	1,650,000	1,650,000
MARINE FUEL TAX COUNTY GRANTS	188,945	200,000	200,000	200,000	200,000
BLACKHAWK LAKE DREDGING	397,780				
5 ISLAND LAKE RESTORATION		200,000	75,000		
EASTER LAKE RESTORATION			50,000		
TOTAL GENERAL FUND-LOTTERY-SPECIAL	11,008,311	9,461,311	10,590,311	12,665,311	12,665,311
NON GENERAL FUND APPROPRIATIONS					
FISH AND WILDLIFE OPERATIONS	19,731,921	20,166,627	20,420,670	20,166,627	20,166,627
OIL OVERCHARGE	4,473,200	4,563,200	2,538,200	1,460,000	300,000
UST ADMINISTRATION MATCH	136,000	145,000	75,000	75,000	75,000
HAZ. WASTE REMEDIAL FUND FOR AIR QUALITY			281,000		
SNOWMOBILE FEES TO FISH & WILDLIFE	100,000	100,000	100,000	100,000	100,000
BOAT FEES TO FISH & WILDLIFE	950,000	950,000	1,571,590	1,200,000	1,200,000
TOTAL NON GENERAL FUND APPROPRIATIONS	25,391,121	25,924,827	24,986,460	23,001,627	21,841,627

Note: The above appropriations are not the entire DNR budget. A significant portion of the budget is funded by earmarked State revenues and federal grants. These sources supplement the above appropriations. All anticipated revenues and expenditures are fully disclosed in the DNR's budget request. Major program expansions are anticipated in Water Supply and Air Quality funded by federal aid and fees.

IOWA DEPARTMENT OF NATURAL RESOURCES
Operations Budget Priority Outline
FY96/7 Budget Request

Rank	Program	Description	FTE	General Fund	Other Funds
Base	DNR	Essential Services funded by 75% of FY95 G.F appropriation. Also included are programs, with the exception of FW, funded with federal or State earmarked revenues.	733.00	8,556,000	17,500,000
1	Parks	Restore staffing levels at 19 Park and Recreation areas to intermediate service levels	22.00	1,430,000	
2	FW	Restore Big Springs Hatchery, enforcement and land management to approximately 85% of current service levels.	19.80		1,090,000
3	Floodplain	Restore floodplain program to FY95 levels.	5.30	275,000	
4	Forestry	Restore State forest management to about 85% of FY95 service levels.	3.00	190,000	
5	Administration	Restore license, finance, clerical and D.P. support to FY95 levels, both for public and staff services.	19.00	260,000	580,000
6	Geology	Restore gauging stations service and geologic services to FY95 levels.	5.50	365,000	
7	Forestry	Restore Fire Protection, Land Owner Assistance & Urban Forestry Programs to FY95 levels.	4.80	175,000	
8	FW	Restore wildlife services to landowners, fish management and enforcement about 90% of FY95 levels.	20.00		1,075,000
9	Water	Restore water withdrawal program to current, FY95 levels.	2.50	115,000	
10	Parks	Restore staffing and related services at several larger parks, bring service to approximately 95% of FY95 levels.	4.00	150,000	

11	Geology	Restore funding for USGS cooperative program, stream monitoring, and data collection.	0.00	73,000	
12	Information	Restore funding for field information activities, and related print, radio and TV media efforts	2.00	33,000	76,000
13	FW	Restore Mississippi River monitoring program, wildlife research and recreation safety programs to FY95 levels.	19.80		1,200,000
14	Forestry	Restore State forest management services to FY95 level.	1.00	56,000	
15	FW	Restore seasonal help for boating enforcement, wildlife and fisheries management and maintenance, etc., bringing the overall services to the FY95 level.	60.00		1,060,000
16	Information	Restore publishing support for current level of print media and support for news releases.	1.00	27,000	27,000
17	Parks	Restore seasonal positions to 13 State areas, bringing total park services to FY95 level.	5.60	85,000	85,000
18	FW	Add additional conservation officers per legislative intent.	2.00		100,000
Totals			930.30	11,790,000	22,793,000

State budgeting law requires agencies to list their priorities in terms of decision packages, from the "base" or highest priority level to the lowest priority level. For the FY96/7 request cycle, the DNR intends to request funding adequate to maintain services at the current, FY95 level with several exceptions.

These exceptions involve complying with legislative intent to expand the number of conservation officers using expanded sales of non-resident deer and turkey permits; expanding water supply assistance and regulation efforts per direction from the 1994 G.A.; and meeting federal requirements under the Clean Air Act. Funding for the water supply and the air efforts will be added to the "base" request. Since the G.A. appropriates FW funds, two officers are added as a decision package.

This ranking is intended to outline the general nature of the DNR's intent for the FY96/7 request. It is probable that a number of minor adjustments will be included in the final budget request document, all within this general framework.

Mr. Kuhn gave a detailed explanation of the budget request noting that there will be increases in the Air Program and the Water Supply Program. He related that a major change in the budget is that the REAP Congress recommended that the department request ten million dollars per year for REAP rather than eight million. Mr. Kuhn stated that the Commission's approval at this time indicates the department is headed in the right direction but the Commission will have further opportunity for comments or changes.

Discussion took place regarding additional FTE's for the Water Supply Program; built in flexibility in the budget; fees set by Code and by Administrative Rule; and phase out of the Oil Overcharge fund.

Motion was made by Clark Yeager to approve the FY96 & FY97 Budget Request. Seconded by Rozanne King. Motion carried unanimously.

APPROVED AS PRESENTED

FY 95-96 TOXIC CLEANUP DAYS HAZARDOUS WASTE CONTRACTOR

Stan Kuhn, Division Administrator, Administrative Services Division, presented the following item.

Proposals were solicited from thirty-three hazardous waste firms that previously indicated their interest in handling toxic waste cleanup events. Of these thirty-three, eleven hazardous waste firms submitted proposals for the 1995-96 Fiscal Years' Toxic Cleanup Days. The eleven hazardous waste firms that responded are listed below:

Clean Harbors Environmental Services
Waukegan, IL
ENSCO
Lincolnshire, IL
Chemical Waste Management Inc.
Alsip, IL
Burlington Environmental
Seattle, WA
Environmental Management, Inc.
Edmond, OK
Laidlaw Environmental Services Inc.
Pecatonica, IL
Superior Hazardous Waste Group, Inc.
Port Washington, WI
Rollins Chempak, Inc.
Bensenville, IL
APTUS Environmental Services
Lakeville,

DYNEX Environmental Inc.
St. Paul, MN
Heritage Environmental Inc.
Indianapolis IN

After careful evaluation, the top three firms were selected from the eleven that were submitted for consideration. The three firms and their quotes on the hypothetical cleanup day event are as follows:

Heritage Environmental Services Inc.	\$29,548
Burlington Environmental	\$22,881
Laidlaw Environmental Inc.	\$14,074

After further review of the proposals from Heritage Environmental, Burlington Environmental and Laidlaw Environmental, Heritage Environmental provided a more complete proposal. Heritage presented a well developed technical approach to the handling of the waste and the disposal methods. They also provided sufficient information on the hypothetical event and cost schedule for materials. Burlington Environmental and Laidlaw Environmental also presented a satisfactory proposal, but failed to provide adequate information relating to the hypothetical event.

The proposals were evaluated on a number of criteria, such as technical approach, safety and cost. The criteria used to evaluate the contractor proposals are attached. The cost was evaluated by a schedule of fees and a cost estimate for the hypothetical collection (provided in RFP). Although Heritage Environmental did not provide the lowest bid, their cost schedule was more in agreement with the number of people and materials needed to operate our Toxic Cleanup Days.

On the other hand, Laidlaw Environmental and Burlington Environmental provided bids that were lower for the hypothetical event, but the contractors failed to base their cost estimate on the information included in the hypothetical event.

The total cost of the Toxic Cleanup Day collection events is estimated to be \$326,300. The Department will pay up to \$288,825 of this cost, with the remainder of the cost being paid by the local communities. The Toxic Cleanup Day schedule for the Fall is as follows:

September 17, 1994	Benton County Benton County Fairgrounds Vinton, IA
September 24, 1994	Muscatine County Muscatine Maintenance Facility Muscatine, IA
September 24, 1994	Winneshiek County Winneshiek County Fairgrounds

Decorah, IA

October 1, 1994

Woodbury County
Utilities Field Office
Sioux City, IA

The draft scope of work for the contractor is attached. Approval for the director to enter into a contract with ~~Heritage Environmental Services, Inc.~~ is requested.

ARTICLE V. SCOPE OF WORK

5.1 The Contractor shall provide qualified personnel and sufficient equipment at each of the Toxic Cleanup Day sites for the identification, segregation, packaging and transportation of hazardous wastes. The Contractor shall be solely responsible for final segregation, packaging and manifesting of waste. Local Organization staff shall be responsible for assisting Contractor staff in off-loading waste from vehicles to the final segregation and packaging area.

5.2 The Contractor shall accept wastes for transportation and disposal from individuals as designated by the representative of the Department at the site. A limit of 220 pounds or 25 gallons of waste will be accepted from each household except as directed by the Department or Local Organization representative. The Contractor shall accept waste only from urban and rural residents. This service is not for businesses, city or county governments or schools.

5.3 The Contractor will not be responsible to accept the following wastes: Explosives, shock sensitive materials, ammunition, unknowns, radioactive materials, medical waste, large amounts of PCB's or Freon 11 and 12.

5.4 The Local Organizations shall make appointments for citizens to deliver household hazardous wastes to the collection site. The Local Organizations will keep records of the number of appointments, estimate the types and quantities of household hazardous waste that will be delivered to the event and the citizens name and phone number. This information shall be made available to the Department and the Contractor.

5.5 The Contractor shall have staff available to assist the Department and Local Organizations with the appointment system. This assistance shall include providing technical assistance on disposal of household hazardous wastes. The Contractor shall assist the Department and Local Organizations in estimating the cost of disposing of household hazardous wastes that are scheduled by appointment to be delivered to the collection site, at the end of each appointment day or as otherwise requested.

5.6 The Contractor shall provide training to the Department and the Local Organization staff to include, at a minimum training on the use of, protective clothing, basic safety handling procedures for household hazardous waste, and basic safety procedures as referenced in Attachment B. The Contractor will provide an adequate supply of protective clothing for use by the Local Organization and Department staff.

5.7 A representative of the Department will inform the Contractor before the beginning of each Toxic Cleanup Day of the amount of funding allocated to the specific site being serviced. The Department or Local Organization shall curtail operation upon the approximation of the allocation limit. The Service may continue if directed by the Department representative on site. If directed to continue Service beyond the original allocation limit, the Department or Local Organization will compensate the Contractor for any expenses incurred. The Contractor shall not incur costs to the Department or Local Organizations exceeding the total amount budgeted as stated in Article VIII Section, - K Funding.

5.8 The Contractor shall be deemed the generator of all wastes accepted at the Toxic Cleanup Days for the purpose of federal, state and local laws and regulations.

5.9 The Contractor shall have a valid Environmental Protection Agency identification number as appropriate for generation, transportation and storage of hazardous and acutely hazardous wastes and approval for the wastes to be disposed of at EPA and Contractor approved disposal sites.

5.10 The Contractor shall have liability insurance in effect for claims arising out of death or bodily injury and property damage from hazardous and acutely hazardous waste transport, storage and disposal, including automobile liability, and legal defense costs, as evidenced by a certificate of insurance satisfactory to the Department delivered to the Department not later than fourteen (14) days prior to the beginning day of collection.

5.11 The Contractor shall package and manifest the waste collected each collection day by the end of the collection day if possible or by the end of the next day if the amount of waste collected requires more time for packing and manifesting. The Contractor shall transport the wastes from the site within 48 hours of the end of the final day of collection.

5.12 The title of all waste accepted by the Contractor at the site shall pass directly from the individual to the Contractor at the time of its acceptance.

5.13 The Contractor shall indemnify, hold harmless and defend the Department and Local Organizations from and against any liabilities, claims, penalties, fines, forfeitures, suits, and the costs and expenses incident thereto which may be alleged against the Department or Local Organizations or which the Department or Local Organizations may incur, become responsible for, or pay out as a result of death or bodily injury to any person, destruction or damage to any property, contamination of or adverse effects on the environment, or any violation or alleged violation of governmental laws, regulations or orders, to the extent that such damage was caused by Contractor's negligent, willful or intentional act or omission, breach of contract or a failure of Contractor's warranties to be true, accurate or complete.

5.14 The Contractor's bid, in response to the Department's Request for Proposal for subject services is hereby incorporated as Attachment A.

ARTICLE VI. Toxic Cleanup Day Schedule

September 17, 1994

Benton County
Benton County Fairgrounds
Vinton, IA

September 24

Muscatine County
Muscatine County Maintenance Facility
Muscatine, IA

September 24

Winneshiek County
Winneshiek County Fairgrounds
Decorah, IA

October 1

Woodbury County
Utilities Field Office
Sioux City, IA

ARTICLE VII. REPORTS

7.1 The Contractor shall submit a copy of a final report describing all activities performed and a summary of wastes collected. This report shall include information as described in Article V, Scope of Work, and meet all the Department requirements. Also included in the report shall be information on the amount of waste collected, pounds, volumes, number and type of container, the type of waste (hazard or DOT classification), its disposal destination and disposal method utilized for the particular wastes. The weight of the containers and packaging for purposes of transportation or disposal. Definitions of all waste classification and disposal methods shall be included in the report. Information for the report shall be on a per site basis. Contractor shall submit a final report within thirty (30) days following the last collection event.

7.2 The Contractor shall furnish to the Department and Local Organizations a detailed and documented description of all prices and expenses for the Services.

7.3 The Contractor shall furnish copies of the hazardous waste manifests to the Department following the disposal of the wastes.

ARTICLE VIII. FUNDING

8.1 The Department and Local Organizations agree to pay the Contractor for the Service in accordance with this Contract and with the cost schedule included in the proposal submitted by the Contractor. The Department and Local Organizations agree to pay Contractor for the services rendered up to the following limits:

A. Benton County agrees to pay for the first \$2,975 of the cost of the service for the event in Benton County.

B. Muscatine County Agrees to pay for the first \$15,000 of the cost of the Service for the event in Muscatine County.

C. Winneshiek County agrees to pay for the first \$7,000 of the cost of the Service for the event in Winneshiek County.

D. Woodbury County agrees to pay for the first \$12,500 of the cost of the Service for the event in Woodbury County.

E. The Department agrees to pay for the remaining costs of the service for the events in the counties of Benton, Muscatine, Winneshiek, and Woodbury up to \$263,825. The Department may authorize the contractor to accept waste from counties other than the county in the above specified event at the discretion of the department up to an additional \$25,000 for the rendering of these services. The maximum amount the Department agrees to pay at its discretion is \$288,825.

F. The Department is presently taking proposals from counties for additional Toxic Cleanup Days at a cost to be determined at a later date. The servicing of the additional Toxic Cleanup Days shall be on the same basis as set forth in this contract. The additional Toxic Cleanup Days shall be designated by May 1, 1995. In the event the Department decides not to proceed with the additional Toxic Cleanup Days to be specified by the above date, this provision of the contract shall be null and void.

8.2 A final bill for Services rendered as part of Toxic Cleanup Days shall be submitted by November 3, 1994, for collection events conducted during the Fall of 1994. A separate bill shall be sent to the Department and the Local Organizations. A bill for Services rendered for Spring 1995 events shall be sent to the Department and the Local Organizations by July 1, 1995.

8.3 The Department or the Local Organizations shall make payments to the Contractor within thirty (30) days of receipt of the final bill and receipt of the report.

8.4 The Department shall provide the Contractor with State of Iowa vouchers to be filled out with an original with three (3) carbonized vouchers underneath it.

8.5 The Department will be responsible for all costs not covered by Local Organizations as stated in Article VIII for the Services rendered at the Toxic Cleanup events.

8.6 The Local Organizations shall be responsible for costs stated in Article VIII.

ARTICLE IX. Contract Distribution

9.1 Two master copies of the agreement will be furnished to the Contractor and the Department. Duplicate copies which will be considered as originals will be sent to each of the county participants.

Mr. Kuhn reviewed the proposal process and criteria used to evaluate the proposals. He related that 11 firms submitted proposals and the top three were further reviewed by the review committee. Subsequently, the review committee recommended that Heritage Environmental Services, Inc. be awarded the contract for the FY95-96 Toxic Cleanup Days events.

Motion was made by Clark Yeager to approve award of the FY 95-96 Toxic Cleanup Days contract to Heritage Environmental Services, Inc., as presented. Seconded by Rozanne King. Motion carried unanimously.

APPROVED AS PRESENTED

PUBLIC PARTICIPATION

Dick Bengtson (spray application/hog confinements)

Dick Bengtson, Farmer, addressed the Commission expressing concern with the spray irrigation method of waste disposal used at hog confinements. He related that there is a hog confinement to be built across the road from his farm. His main concern with the gun spray method is that on windy days it could blow across the road and coat him while he is working in his field. He stated that if there are not existing guidelines on distance from a neighboring farm in regard to gun spraying of wastes, that he would like to see guidelines implemented. He also discussed nitrogen use in relation to soybeans.

Darrell McAllister stated that there are no guidelines or requirements in the rules for separation distance for application of animal wastes near residences; the only rules are for separation distance between residences and lagoons.

Discussion followed regarding the distance between the proposed hog confinement lagoon and Mr. Bengtson's property.

Director Wilson stated that the Governor has appointed a task force and the Legislature also has appointed an interim committee to study the livestock issue. He related that reports from those groups will be completed by the end of the year and there will probably be recommendations coming from those reports that will most likely be made to the legislature. He encouraged the Commission to attend any of the meetings of these groups. Mr. Wilson also urged the Commission to read the final task force reports and if there are portions they feel need addressed, they may want to make some recommendations as a Commission.

Consensus of the Commission was to wait until the task force committee's reports are out before dealing with new rules regarding separation distances.

Steve Intlekofer (asbestos rules enforcement)

Steve Intlekofer, American Asbestos Training Center, stated that two months ago he addressed the Commission in regard to oppressive enforcement of NESHAPS regulations on the private industry. He related that at that time he commented the state's renovations should be looked at, and Mr. Stokes indicated that enforcement is the same for all entities including federal, state and private industry. Mr. Intlekofer discussed various renovation projects taking place at state offices located as follows: Wallace Building, Independence Mental Health Facility, Lucas Building east entrance, Department of Education, State Library, Department of Employment Services, and Department of Labor. He displayed photos he had taken at some of these facilities from June 24 to the present. In showing the photos he pointed out what he thought may have been asbestos violations and indicated that to his knowledge there was no inspection or report made at these sites. Mr. Intlekofer stated that he sent letters to DNR and General Services requesting information about the inspections and notifications for these projects and has not received a reply from either of them. He stated that the DNR has a tendency to overlook that which is done in state government. He asked the Commission to see that inspections are done on public projects and that the tight scrutiny in the private sector be applied to the public sector as well.

Director Wilson asked Mr. Intlekofer to provide him with a set of photos and description of the suspected violations, and he will review it with Mr. Stokes and report back at the next Commission meeting.

CONTRACT WITH ISU WATERSHED-BASED APPROACH TO WASTELOAD ALLOCATION

Stan Kuhn, Division Administrator, Administrative Services Division, presented the following item.

Commission approval of a contract with Iowa State University is requested. The contract will provide funding for a project that will investigate the watershed approach to conducting wasteload allocations for point source discharges and issuing NPDES point source discharge permits. The contract will be for \$121,028.

Discharge permits for point source discharges, such as municipal wastewater treatment plants, are presently reviewed and issued on an individual, as needed, basis. Under a watershed approach, all the permits in a given river basin or watershed would be reviewed in concert on a cyclical (e.g., 5 year) basis. For instance, in a given year, all the current and proposed discharge permits for the Cedar River basin might be reviewed and reissued. The Environmental Protection Agency is advocating watershed-based permitting as part of an overall watershed

protection approach that focuses on a watershed's problems and needs rather than on specific pollutants.

The proposed project will look at the benefits of a watershed approach to reviewing and issuing NPDES permits and conducting the associated wasteload allocations to determine permit limits. The project will also identify institutional, monitoring, and resource needs to implement such an approach. The project is scheduled to be initiated in August 1994 and would be completed in August 1996.

Funding for the contract will be provided by an EPA grant under Section 104(b)3 of the Clean Water Act. Iowa State will be providing the required 5% cost match.

Mr. Kuhn gave a detailed explanation of the contract.

Motion was made by Clark Yeager to approve a contract with ISU to investigate a Watershed-based Approach to Wasteload Allocation at a cost of \$121,028. Seconded by Rozanne King.

Rozanne King asked if the department solicited ISU for the project.

Darrell McAllister stated that it was a joint process but was initiated by ISU.

William Ehm asked if staff anticipates much change in the overall approach of issuing permits as a result of this project.

Mr. McAllister responded that the department hopes to find out what the watershed approach will do for water quality and whether the permit limits will change. And if permit limits do change, whether there are possibilities of identifying where it is most cost effective to make improvements in water treatment plants. Also included in this plan is a monitoring scheme to provide water quality information before doing wasteload allocations. Mr. McAllister noted that EPA strongly recommended the watershed approach.

Vote on Commissioner Yeager's motion carried unanimously.

Gary Priebe commented that he interprets the first paragraph in the item to read that ISU will issue the permits.

Mr. Kuhn assured the Commission that ISU will not be issuing the permits and related that the intent was not to convey that interpretation.

APPROVED AS PRESENTED

FLOW CONTROL (GREAT RIVER RECYCLING REPORT)

Teresa Hay, Division Administrator, Waste Management Assistance Division, presented the following item.

Per the Commission's request, the following is a brief discussion of the issue of flow control, including the impact on some Iowa border county landfills. Flow control is the concept that local governments have the ability to direct where waste materials and/or recyclables generated within or brought into their jurisdiction may be processed or disposed. Unlike interstate shipment of waste, this is an issue dealt with almost exclusively by local governments rather than state governments.

Both interstate shipment laws and flow control ordinances have encountered frequent challenges in the courts. Most recently, the U.S. Supreme Court ruled in May that a municipal ordinance requiring all solid waste to be processed at a transfer station financially backed by a town violated the commerce clause of the U.S. Constitution. The Court ruled that the ordinance discriminated against interstate commerce despite the fact it prohibited waste from being sent to other local transfer stations as well. The regulation of interstate commerce is reserved exclusively for Congress. Without action from Congress municipalities appear to have two alternatives to get around the ruling: either encourage the use of their facilities by subsidizing tipping fees or buy their own trucks and facilities and take over solid waste disposal themselves.

Congress currently has several bills before it to deal with solid waste interstate transportation. There are several proposals to include provisions to deal with flow control in this legislation. The association of state waste programs and the governors' association have both taken positions supporting congressional action to give states the ability to authorize flow control. State interest arises as it relates to the ability to mandate integrated waste management planning.

The issue of flow control has been most visible in Iowa in the planning area of the Great River Regional Recycling Center. That facility quit accepting recyclable materials earlier this year, citing decreased revenues from the landfill due to increasing amounts of waste going to other landfills. It appears that the size of this facility and the funding mechanism were based on a projected waste stream that never materialized. As a consequence, there was very little ability to absorb the impact of decreased revenues.

Tipping fees at public landfills along Eastern Iowa's border range from \$20.00 per ton to \$45.00 per ton. Private landfills in Illinois along the same border charge from \$20.00 per ton to \$32.00 per ton. Although there are a range of fees, there does not appear to be a direct correlation between the public and private landfill fees and whether waste is being diverted to the lower cost landfill. Rather, other factors such as what counties are involved in the planning area and what haulers are handling the waste, determine whether waste is moved out of the region.

The Great River situation is by no means unique. Why other solid waste agencies have not cut back on their programs is only speculation. Some factors include the large geographic size of the Great River planning area (more opportunity for private haulers to operate in the area), the fact some other planning areas have residential waste collection provided by the municipalities which guarantees a significant portion of the waste stream, and the fact not all planning areas

provide services such as recyclables collection themselves but have private companies do so. On the other hand, some planning areas are examining alternatives to their present operations and funding mechanisms. As it has been to date, flow control continues to remain a local government issue.

Ms. Hay reviewed the item in detail. She noted that there was no specific factor or tipping fee that caused the Great River Recycling Center to close and related that various factors were involved.

Discussion followed regarding why some recycling centers work and others do not.

Director Wilson stated that in planning for a recycling center it is beneficial to look at case histories in regard to what does or does not work.

William Ehm asked if the landfills establish their own fees.

Ms. Hay stated that tonnage fees are established by the legislature and tipping fees are set by the landfills/local government.

Clark Yeager asked about the amount of tipping fees charged by Great River Recycling, the state of Illinois and Missouri.

Ms. Hay stated that Great River Recycling Center charges \$45/ton, Illinois charges range from \$20-\$32/ton, and at LeGrange, Missouri the charge is \$27.50/ton.

Commissioner Yeager asked about grants given to Great River Recycling Center.

Ms. Hay stated that they were awarded a grant in 1988 but she would have to go back and check on details of the grant.

INFORMATIONAL ONLY

LANDFILL ALTERNATIVES FINANCIAL ASSISTANCE PROGRAM

Teresa Hay, Division Administrator, Waste Management Assistance Division, presented the following item.

The Landfill Alternatives Financial Assistance Program, governed by Iowa Administrative Code 567-Chapter 209, replaces the Landfill Alternatives Grant Program. Applications will be accepted for the inaugural round of funding under the Landfill Alternatives Financial Assistance Program in December. Application funding cycles will occur twice a year with application due no later than 4:30 p.m. the first Monday in June and the first Monday in December.

The Department scheduled 5 workshops designed to introduce and present highlights of the Landfill Alternatives Financial Assistance Program and answer questions of potential applicants. Workshops are scheduled for: August 1 (Mason City), August 2 (Carroll), August 3 (Cedar Rapids), August 4 (Des Moines), and August 16 (Des Moines).

Applications booklets and workshop brochures have been distributed to the Environmental Protection Commission, the advisory committee who assisted in developing this program, the Department of Economic Development, members of the Iowa Society of Solid Waste Operations and the Iowa Recycling Association, By-Product and Waste Search Service representatives, the Iowa Waste Reduction Center, Small Business Development Centers, Council of Governments, recycling coordinators, and persons who have called or written the Department requesting a copy of the application booklet and workshop brochure. Standard news releases have also been issued by the Department on the workshops as well as the availability of the application booklets.

Ms. Hay reviewed the program and future requirements due to changes in the program. She noted the dates of the workshops being held around the state and related that there has been a fair amount of interest in the workshops held to date.

William Ehm asked if the hierarchy used in the past will still be in place with the new program.

Ms. Hay replied that the same hierarchy will be used with the cost-share assistance program.

INFORMATIONAL ONLY

MONTHLY REPORTS

Mike Murphy, Bureau Chief, Compliance and Enforcement Bureau, presented the following item.

The following monthly reports are enclosed with the agenda for the Commission's information.

1. Rulemaking Status Report
2. Variance Report
3. Hazardous Substance/Emergency Response Report
4. Enforcement Status Report
5. Contested Case Status Report

Members of the department will be present to expand upon these reports and answer questions.

IOWA DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
RULEMAKING STATUS REPORT
August 1, 1994

PROPOSAL	NOTICE TO COMMISSION	NOTICE PUBLISHED	RULES REVIEW COMMITTEE	HEARING	FINAL SUMMARY TO COMMISSION	RULES ADOPTED	RULES PUBLISHED	RULE EFFECTIVE
1. Ch. 20, 21, 22, 23 - Air Quality Rule Updates	5/16/94	6/22/94	7/13/94	7/22/94	*9/19/94	*9/19/94	*10/12/94	*11/16/94
2. Ch. 20, 31 - Air Quality General Conformity in Nonattainment Areas	*9/19/94	*10/12/94	*11/ /94	*11/ /94	*12/19/94	*12/19/94	*1/18/95	*2/22/95
3. Ch. 22 - Voluntary Operation Permits - Air Quality	3/21/94	4/13/94	5/11/94	5/24/94 5/25/94 5/26/94	*9/19/94	*9/19/94	*10/12/94	*11/16/94
4. Ch. 23 - Open Burning	6/20/94	7/20/94	*8/ /94	*8/22/94	*9/19/94	*9/19/94	*10/12/94	*11/16/94
5. Ch. 40, 43 - Water Supply Permit Fees	*9/19/94	*10/12/94	*11/ /94	*11/ /94	*12/19/94	*12/19/94	*1/18/95	*2/22/95
6. Ch. 50, 51 - Agricultural Drainage Well Permits	*9/19/94	*10/12/94	*11/ /94	*11/ /94	*12/19/94	*12/19/94	*1/18/95	*2/22/95
7. Ch. 60, 62, 65 - Wastewater Treatment	-----	-----	-----	-----	8/15/94	*8/15/94	*9/14/94	*10/19/94

* Projected

MONTHLY VARIANCE REPORT						
Month: July, 1994						
No.	Facility	Program	Engineer	Subject	Decision	Date
1.	Iowa Army Ammunition Plant - Middletown	Air Quality		Explosives	Denied	07/05/94
2.	NSK Corporation - Page County	Air Quality		Emmission Standard	Approved	07/22/94
3.	Cocklin's RV Campsite- Louisa County	Wastewater Construction	MMS Consultants, Inc.	Site Separation	Approved	07/11/94
4.	City of Clermont	Wastewater Construction	Erdman Engineering	Minimum Sewer Size	Approved	07/20/94
5.	West Fork Big Creek Watershed-Site B-53- Ringgold County	Flood Plain	U.S.Soil Conservation Service	Storm/Storage Capacity	Approved	07/14/94
6.	City of Nevada/Burke Marketing	Wastewater Operation	Snyder & Associates	Monitoring Frequency	Denied	07/20/94
7.	Ottumwa-Midland Development Corp.- Commercial Landfill	Solid Waste	Montgomery Watson	Leachate	Approved	07/07/94
8.	Muscatine Power and Water Company - CCR Landfill	Solid Waste	Donald G. Pauken, Manager	Gas Control	Approved	07/08/94
9.	Jackson County - Sanitary Landfill - (Closed)	Solid Waste	Howard R. Green Company	Cover	Approved	07/20/94

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TOPIC: Report of Hazardous Conditions

During the period July 1, 1994, through July 31, 1994, reports of 79 hazardous conditions were forwarded to the central office. Two incidents are highlighted below. A general summary and count by field office is attached. This does not include releases from underground storage tanks, which are reported separately.

07/05/94 Dubuque	Someone tried to use a gas pump at an IOCO station in Dubuque before it opened. The nozzle was left on, and when the pump was turned on 46 gallons of gasoline spilled onto the drive and into a storm sewer. No impacts to the harbor were noted.	Iowa Oil Company PO Box 712 Dubuque, IA	The local fire department responded and applied oil dry to the surface spill. A boom was placed at the outfall in the harbor to prevent the spread of gas into the harbor. The storm sewers were flushed with water to recover the gasoline.
07/02/94 Louisa	A bullet hole was discovered in a transformer substation. 200 gallons of mineral was spilled out of the unit. The oil was previously tested and contained no PCBs.	Eastern Iowa L&P E. 5th and Sycamore Wilton, IA	Contaminated soil was excavated and land applied.

Substance					Mode					
Month	Total Incidents	Petroleum Product	Agri - Chemical	Other Chemicals and Substances	Handling and Storage	Pipeline	Highway Incident	RR Incident	Fire	Other
October	56(83)	37(54)	6(8)	13(21)	34(51)	0(0)	20(25)	0(2)	0(0)	2(5)
November	52(74)	34(46)	3(7)	15(21)	30(38)	3(1)	14(26)	0(0)	1(0)	4(9)
December	41(67)	30(41)	2(9)	9(17)	23(37)	0(2)	14(28)	2(0)	0(0)	2(0)
January	67(61)	47(47)	3(0)	14(17)	38(37)	1(1)	23(21)	2(1)	2(0)	1(6)
February	57(61)	38(47)	3(0)	16(14)	29(32)	2(1)	22(21)	2(1)	0(0)	2(6)
March	69(71)	42(46)	6(4)	21(21)	44(45)	0(2)	14(21)	2(1)	3(1)	6(1)
April	88(90)	39(58)	33(12)	16(20)	50(55)	0(1)	29(29)	2(1)	0(1)	3(7)
May	75(103)	28(56)	29(24)	18(23)	38(57)	5(3)	22(30)	2(2)	3(8)	5(3)
June	74(103)	39(56)	23(24)	12(23)	51(57)	0(3)	18(30)	2(2)	0(8)	3(3)
July	79(100)	51(61)	9(14)	19(25)	54(64)	2(2)	19(28)	1(1)	1(0)	2(5)
August										
September										

Total Number of Incidents Per Field Office This Period:

(numbers in parentheses for the same period in fiscal year '93)

1	2	3	4	5	6
18	13	2	9	20	17

NUMBER OF LUST CLEANUPS COMPLETED

During the period of July 1, 1994 through July 31, 1994, the following number of LUST cleanups were completed:

5 (733)

The number in parentheses represents the total number of LUST cleanups through July 31, 1994.

NUMBER OF LOW RISK SITES APPROVED

During the period of July 1, 1994 through July 31, 1994, the following number of low risk sites were approved:

29 (387)

The number in parentheses represents the total number of low risk LUST sites through July 31, 1994.

REPORTS OF RELEASES FROM UNDERGROUND STORAGE TANKS

During the period of July 1, 1994 through July 31, 1994, the following number of releases from underground storage tanks were identified.

19 (20)

The number in parentheses represents the number of releases during the same period in Fiscal Year 1993.

Enforcement Report Update

The following new enforcement actions were taken last month:

Name, Location and Field Office Number	Program	Alleged Violation	Action	Date
Sioux-Preme Packing Co., Sioux Center (3)	Drinking Water	Monitoring/Reporting- Lead, Copper	Order	7/08/94
Linn Hollow Mobile Home Park, Washington (6)	Drinking Water	Monitoring/Reporting- Lead, Copper; Public Notice	Order/Penalty \$110.00	7/08/94
Cedar River Trailer Park, Letts (6)	Drinking Water	Monitoring/Reporting- Lead, Copper	Order	7/08/94
Estherville Youth Services, Wallingford (3)	Drinking Water	Monitoring/Reporting- Lead, Copper;	Order	7/08/94
Solvay Animal Health, Inc. Charles City (2)	Drinking Water	Monitoring/Reporting- Lead, Copper	Order	7/08/94
Ohkiyu Village Mobile Home Park, Montrose (6)	Drinking Water	Monitoring/Reporting- Lead, Copper	Order	7/08/94
Hardin County Care Facility, Eldora (2)	Drinking Water	Monitoring/Reporting- Lead, Copper	Order	7/08/94
RHCL School, Luxemburg (1)	Drinking Water	Monitoring/Reporting- Lead, Copper; Public Notice	Order/Penalty \$125.00	7/08/94

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Kalo Water System, Otho (2)	Drinking Water	Monitoring/Reporting- Lead, Copper; Public Notice	Order/Penalty \$110.00	7/08/94
Woodland Heights Homeowners Assn., Iowa City (6)	Drinking Water	Monitoring/Reporting- Lead, Copper; Public Notice	Order/Penalty \$110.00	7/08/94
Trout Valley 2nd Addition, Bettendorf (6)	Drinking Water	Monitoring/Reporting- Lead, Copper; Public Notice	Order/Penalty \$125.00	7/08/94
Verde Water Company-Table Mound #1, Well #1, Dubuque (1)	Drinking Water	Monitoring/Reporting- Lead, Copper;	Order/Penalty \$900.00	7/08/94
Mecha-Ceba Subdivision, Muscatine (6)	Drinking Water	Monitoring/Reporting- Lead, Copper	Order	7/08/94
Nishna Valley Community School, Hastings (4)	Drinking Water	Monitoring/Reporting- Lead, Copper	Order/Penalty \$500.00	7/08/94
Cherry Hills Subdivision, Iowa City (6)	Drinking Water	Monitoring/Reporting- Lead, Copper;	Order/Penalty \$275.00	7/08/94
Kessler's Homeowners Assn., Iowa City (6)	Drinking Water	Monitoring/Reporting- Lead, Copper	Order/Penalty \$275.00	7/08/94
Beacon, City of (5)	Drinking Water	Monitoring/Reporting- Lead, Copper; Public Notice	Order/Penalty \$135.00	7/08/94
Lloyds Mobile Home Park, Low Moor (6)	Drinking Water	Monitoring/Reporting- Lead, Copper; Public Notice	Order/Penalty \$110.00	7/08/94
Windy Ridge Well Assn., Lisbon (1)	Drinking Water	Monitoring/Reporting- Lead, Copper; Public Notice	Order/Penalty \$110.00	7/08/94
South High Point Well Assn. #2, Iowa City (6)	Drinking Water	Monitoring/Reporting- Lead, Copper; Public Notice	Order/Penalty \$110.00	7/08/94
Cedar Lane Estates, Inc., Jefferso (6)	Drinking Water	Monitoring/Reporting- Lead, Copper; Public Notice	Order/	7/08/94
North Linn Middle School, Coggon (1)	Drinking Water	Monitoring/Reporting- Lead, Copper	Order	7/08/94
South Oaks Estates MHP, Algona (2)	Drinking Water	Monitoring/Reporting- Lead, Copper	Order	7/08/94
The Marley Pump Company, Davenport (6)	Drinking Water	Monitoring/Reporting- Lead, Copper; Public Notice	Order/Penalty \$125.00	7/08/94
Wiley, City of (4)	Drinking Water	Monitoring/Reporting- Lead, Copper; Public Notice	Order/Penalty \$110.00	7/08/94
Orrie's Supper Club, Inc., Hudson (1)	Drinking Water	Monitoring/Reporting- Lead, Copper; Public Notice	Order/Penalty \$275.00	7/08/94
Schaeff Incorporated, Sioux City (3)	Drinking Water	Monitoring/Reporting- Lead, Copper	Order	7/08/94
Alexander Schmidt d/b/a A & M Oil, Tama (5)	Hazardous Condition	Remedial Action	Order	7/08/94
Bill Dettman d/b/a Dettman Oil Co., Fonda (3)	Underground Tank	Site Assessment	Order/Penalty \$2,800.00	7/08/94
Karl and Thelma Boylan d/b/a Boylan's Service, Northboro (4)	Underground Tank	Site Assessment	Order/Penalty \$1,800.00	7/08/94
Immanuel Lutheran Church and School, Readlyn (1)	Drinking Water	Monitoring/Reporting- Lead, Copper; Public Notice	Order/Penalty \$275.00	7/18/94
Beatrice Cheese, Inc., Preston (1)	Drinking Water	Monitoring/Reporting- Lead, Copper; Public Notice	Order/Penalty \$110.00	7/18/94
South English, City of (6)	Drinking Water	Monitoring/Reporting- Lead, Copper; Public Notice	Order/Penalty \$235.00	7/18/94

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Kilpeck Mobile Home Park, Muscatine (6)	Drinking Water	Monitoring/Reporting- Lead, Copper; Public Notice	Order/Penalty \$275.00	7/18/94
Fruehauf Corporation, Ft. Madison (6)	Drinking Water	Monitoring/Reporting- Lead, Copper	Order	7/18/94
John Morrell and Company, Sioux City (3)	Drinking Water	Monitoring/Reporting- Lead, Copper; Public Notice	Order/Penalty \$1,000.00	7/18/94
William Giese d/b/a Giese Construction Co., Fort Dodge (2)	Flood Plain Wastewater	Unauthorized Const.; Prohibited Discharge	Referred to AG	7/18/94
Scenic View Estates, Decorah (1)	Drinking Water	Monitoring/Reporting- Lead, Copper; Public Notice	Order/Penalty \$275.00	7/21/94
Sunshine Homes, Inc., Atlantic (4)	Drinking Water	Monitoring/Reporting- Lead, Copper; Public Notice	Order/Penalty \$275.00	7/25/94
Rayburn Court for Mobile Homes, Mason City (2)	Drinking Water	Monitoring/Reporting- Lead, Copper; Public Notice	Order/Penalty \$375.00	7/25/94
Edinburgh Manor, Scotch Grove (1)	Drinking Water	Monitoring/Reporting- Lead, Copper; Public Notice	Order/Penalty \$200.00	7/25/94
Forest Manor Subdivision, Bettendorf (6)	Drinking Water	Monitoring/Reporting- Lead, Copper	Order/Penalty \$100.00	7/25/94
Arion, City of (4)	Drinking Water	Monitoring/Reporting- Lead, Copper	Order	7/25/94

Summary of Administrative Penalties

The following administrative penalties are due:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
Marvin Kruse d/b/a K & C Feeds (Luana)	UT	300	12-01-92
Don Grell d/b/a Dodger Enterprise (Ft. Dodge)	AQ	10,000	2-16-93
Duane Pospisil d/b/a Duane's Service (Lisbon)	UT	1,000	5-04-93
Franklin Raymond (Pacific Junction)	UT	300	7-07-93
Eddie Hemmer (Jones County)	AQ/SW	600	8-01-93
*Delano's Lounge (Washington)	WS	425	9-01-93
Melvin Foubert d/b/a Mel's Repair Service (What Cheer)	UT	400	12-13-93
Richard Waugh d/b/a Dick's Apco Car Wash (Hampton)	UT	885	12-13-93
Stan Simmer d/b/a Tire City (Des Moines)	UT	600	12-21-93
*63-80 Cafe (Moore Oil Co.) (Malcom)	WS	200	1-20-93
William Hatch d/b/a R & R Convenience Store (Central City)	UT	2,480	2-28-93
K-Service, Inc.; Kirkendall Enterprises, et.al. (Sloan)	UT	1,440	2-28-94
Kurt & Mary Marzofka; John & Shirley Riordan (Sabula)	UT	500	3-31-94
Paul Underwood d/b/a Underwood Excavating (Cedar Rapids)	AQ	4,000	4-22-94
Ida Grove Farm Supply Co. d/b/a Double Circle Farm Supply Co. (Galva)	UT	2,300	5-15-94
*Phil McMains d/b/a MEDA (Moulton)	AQ	800	6-01-94
Leland Koster and Jim Koster (Alexander)	UT	350	6-11-94
Kennedy Car Kleen (Fairfield)	WW	1,000	6-12-94
J. Wood Park (Garnaville)	WS	120	6-15-94
Dennis Malone & Joanne Malone (Morning Sun)	UT	600	6-16-94
Buffalo Bill Estates, Inc. (Clinton Co.)	WS	1,000	6-18-94
The Heights (Monticello)	WS	670	6-23-94
*Home Asbestos & Lead Abatement Services (Johnston)	AQ	450	7-02-94
Giese Construction Co.; William Giese (Ft. Dodge)	UT	600	7-19-94
King Transfer, Ltd.; George B. King (Onawa)	UT	2,400	7-20-94
James William Smith (Graettinger)	UT	300	7-23-94
Hidden Valley Mobile Home Court (Washington Co.)	WS	200	7-25-94
Jack Thiel, Inc. (Remsen)	UT	300	7-26-94
*Terry Bealrd d/b/a Curry Environ. Services (Marion)	AQ	3,500	8-01-94
McCarthy Homeowners Assn. (LeClaire)	WS	275	8-20-94
Lake Okoboji United Methodist Camp (Spirit Lake)	WS	275	8-20-94
Shermans Water & Road, Inc. (Decorah)	WS	275	8-20-94
Yetter, City of	WS	275	8-21-94
North Coralville Lake Manor (Solon)	WS	275	8-21-94
Central Water Works (Fort Dodge)	WS	275	8-21-94
Blanchard, City of	WS	275	8-22-94
Licht Trailer Court (Dubuque)	WS	275	8-22-94
Martin Subdivision (Iowa City)	WS	275	8-22-94
Walnut Grove Water Company (Buffalo)	WS	275	8-23-94

*Payment Schedule

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Greenfield Plaza Benefited Water District (Des Moines)	WS	200	8-23-94
Crawford Flats, Ltd. (Denison)	WS	275	8-25-94
John Morrell & Company (Sioux City)	WS	1,000	8-27-94
Pacific Junction, City of	WS	1,000	8-27-94
Plantation Village Mobile Home Park (Burlington)	WS	550	8-27-94
Birmingham, City of	WS	550	8-28-94
Dakota Mobile Home Park (Iowa City)	WS	550	8-28-94
Holland, City of	WS	550	8-28-94
Spring Valley Park/Table Mound Corp. (Dubuque)	WS	550	8-28-94
Willow Stream Estates (Eldridge)	WS	550	8-28-94
Webb, City of	WS	550	8-28-94
Denmark Municipal Water Supply (Denmark)	WS	550	8-28-94
Eagle Lane Corporation (Blue Grass)	WS	275	8-28-94
Hide-A-Way Manor (Cedar Rapids)	WS	275	8-28-94
Woodburn, City of	WS	550	8-25-94
Coralville Lake Terrace Assn. (North Liberty)	WS	550	9-01-94
Ledges Water District (Boone)	WS	275	9-02-94
Perry, City of	WW	2,000	9-05-94
Verde Water Company-Table Mound #2-Well #1 (Dubuque)	WS	500	9-05-94
Midway Water & Lighting (Marion)	WS	550	9-08-94
Green Acres Mobile Home Village I (Evansdale)	WS	550	9-11-94
The Marley Pump Co. (Davenport)	WS	125	9-13-94
RHCL School (Luxemburg)	WS	125	9-14-94
Linn Hollow Mobile Home Park (Washington)	WS	110	9-14-94
Windy Ridge Well Assn. (Lisbon)	WS	110	9-14-94
Lloyds Mobile Home Park (Low Moor)	WS	110	9-14-94
Twin View Heights (Solon)	WS	500	9-14-94
Kalo Well Company (Otho)	WS	110	9-14-94
Beacon, City of	WS	135	9-14-94
Willey, City of	WS	110	9-14-94
Karl and Thelma Boylan d/b/a Boylan's Service (Northboro)	UT	1,800	9-15-94
Bill Dettman d/b/a Dettman Oil Co. (Fonda)	UT	2,800	9-15-94
Cherry Hills Homeowners Assn. (Iowa City)	WS	275	9-18-94
Verde Water Company-Table Mound #1-Well #1 (Dubuque)	WS	900	9-19-94
Trout Valley 2nd Addition (Bettendorf)	WS	125	9-19-94
Orrie's Supper Club, Inc. (Hudson)	WS	275	9-19-94
Riverview Estates (Iowa City)	WS	275	9-19-94
Kilpeck Mobile Home Park (Muscatine)	WS	275	9-23-94
Immanuel Lutheran Church and School (Readlyn)	WS	275	9-23-94
Beatrice Cheese, Inc. (Preston)	WS	110	9-25-94
South English, City of	WS	235	9-25-94
Scenic View Estates (Decorah)	WS	275	9-25-94
American Demolition Corp. of Iowa (Cedar Rapids)	AQ	6,000	-----
Edward Bodensteiner (Des Moines)	UT	3,200	-----
Riverton, City of	WS	550	-----
John Morrell and Company (Sioux City)	WS	1,000	-----
Sunshine Homes, Inc. (Atlantic)	WS	275	-----
Forest Manor Subdivision (Bettendorf)	WS	100	-----
Edinburgh Manor (Anamosa)	WS	200	-----
Rayburn Court for Mobile Homes (Mason City)	WS	375	-----

TOTAL 83,720

The following cases have been referred to the Attorney General:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
OK Lounge (Marion)	WS	448	11-01-87
Richard Davis (Albia)	SW	1,000	2-28-88
Eagle Wrecking Co. (Pottawattamie Co.)	SW	300	5-07-89
*Twelve Mile House (Bernard)	WS	119	5-20-89
*Lawrence Payne (Ottumwa)	SW	425	6-19-89
William L. Bown (Marshalltown)	SW	1,000	10-01-89
Wellendorf Trust (Algona)	AQ/SW	460	2-12-90
Donald P. Ervin (Ft. Dodge)	SW	669	3-05-90
Gerald G. Pregler (Dubuque Co.)	SW	1,000	9-02-90
Donald R. Null (Clinton Co.)	AQ/SW	1,000	9-06-90
Robert and Sally Shelley (Guthrie Center)	SW	1,000	3-04-91
Fred Varner (Worth Co.)	SW	950	4-11-91
Honey Creek Camping Resort (Crescent)	WS	245	6-13-91
F.R. Thomas/F.R. Thomas, Jr. d/b/a Clair View Acres Store (Delhi)	WS	1,000	8-04-91
*M & W Mobile Home Park (Muscatine)	WW	200	8-21-91
Vern Starling (Boone Co.)	SW	690	9-15-91
Lloyd Dunton (Iowa Co.)	SW	300	11-07-91
Vernus Wunschel d/b/a Wunschel Oil (Ida Grove)	UT	300	1-12-92
Kenneth Bode (Mills Co.)	SW	300	4-27-92
V.R. Dillingham d/b/a Barb's Service (Everly)	UT	600	5-21-92
Tandem Oak Park Associates (Ft. Dodge)	WS	405	6-03-92
Dick White (Washington County)	AQ	250	8-15-92
Rankin Roofing & Siding Co. (Knoxville)	AQ	500	11-09-92
Tony Hoyt d/b/a Lake Wilderness (Lee Co.)	SW	1,000	1-23-93
Bernard Gavin Veterinary Clinic (Wellsburg)	UT	600	5-02-92
Tim Sharp (Newton)	UT	1,000	1-25-93
Jack Link Truck Line, Inc. (Dyersville)	UT	300	1-25-93
David Young d/b/a Sierp Oil Co. (Casey)	UT	300	2-10-93
Carson Grain & Implement (Coggon)	UT	1,000	8-03-92
Dale Hall d/b/a Hall Oil Co. (Des Moines)	UT	300	7-06-93
Robert Bodwell (Winterset)	UT	300	7-07-93
Richard Newman (Des Moines Co.)	SW	500	11-01-93
Louis Saak d/b/a Saak Oil Co. (Baxter)	UT	1,560	12-25-93
Smith Oil Co.; Franklin Smith (Mt. Ayr)	UT	600	3-31-94
Carter Lake, City of	WS	1,700	3-14-94
Jay Browns d/b/a Browns Service (Murray)	UT	1,272	4-04-94
Verna and Don Reed; Andrea Silsby (Union Co.)	SW	1,000	4-07-94

TOTAL 24,593

E94Aug-23

The following administrative penalties have been appealed:

NAME/LOCATION	PROGRAM	AMOUNT
Sioux City, City of	WW	1,000
Des Moines, City of	HC	1,000
Van Dusen Airport Services (Des Moines)	HC	1,000
Joe Eggers, Jr., et.al. (St. Ansgar)	SW	1,000
McDowell Dam #1 (Lee Co.)	FP	500
McDowell Dam #2 (Lee Co.)	FP	500
Oskaloosa Food Products Corp. (Oskaloosa)	WW	1,000
Wiota, City of	WS	500
Hickory Hollow Water Co. (Ankeny)	WS	400
White Consolidated/Frigidaire Co. (Jefferson)	WW	1,000
Wayne Transportation, Inc. (Greene)	WW	1,000
Mulgrew Oil Company (Dubuque)	HC	500
John Staub d/b/a Mr. Convenient (Burlington)	UT	600
Charles Kerr (Sloan)	UT	600
Stringtown Country Cafe (Lenox)	WS	1,000
Lincoln Farm and Home Service (Henderson)	WW	1,000
Chickasaw Co. SLF, et.al. (Chickasaw Co.)	SW	1,000
Plymouth Cooperative Oil Co. (Hinton)	WW	1,000
LaVerne Rehder (Union)	UT	300
Randy Bonin/Vickie Brannick (Hardin Co.)	SW	500
Dean Hoeness d/b/a Hoeness & Sons (Winterset)	UT	300
Decatur, City of	UT	600
Case Power and Equipment (Decorah)	WS	500
King's Terrace Mobile Home Court (Ames)	WW	500
ITWC, Inc. (Malcom)	AQ	1,000
Lloyd Decker (Floyd Co.)	SW	1,000
Eldon Krambeck (Scott Co.)	AQ	1,000
Waucoma, City of	WS	200
Tracy Below (Hardin Co.)	WW	1,000
Grand Laboratories, Inc. (Larchwood)	WW	1,000
Frank Hulshizer (Benton Co.)	SW	500
Cargill, Inc. (Eddyville)	SW/WW	1,000
Chicago/Northwestern Transp. Co. (Council Bluffs)	HC	1,000
Pirelli Armstrong Tire Corp. (Polk Co.)	SW	1,000
Midway Oil Co. (Indianola)	UT	300
Raven Corp. & Midway Oil Co. (Toledo)	UT	600
TRS Industries, Inc.; City of Des Moines (Des Moines)	SW	3,000
Land Renu, Inc. (Rockwell City)	SW	1,000
LeMars, City of	WW	5,000
Fine Oil Co.; John and Diane Fine (Appanoose Co.)	AQ/HC/WW	10,000
Economy Solar Corp. (Monticello)	AQ	100
Phil McMains (Appanoose Co.)	SW	4,000
Crane Co. d/b/a Crane Valves (Washington Co.)	SW	500
Donald Udell (Plymouth Co.)	SW	1,000
Daisy H. Gridley Conservatorship, et.al. (Union Co.)	SW	1,000
Mel-Ray Mobile Home Park (Ankeny)	WW	500
Thomas L. Burt, et. al. (Butler Co.)	SW	1,000
Oakwood Park Water, Inc. (Ankeny)	WS	1,000
U.S. Dept. of Defense (Sioux City)	UT	5,720
Blue Spruce Feedlots, Inc. (Pottawattamie Co.)	WW	5,000
Valley Restaurant/Sierp Oil/Mary & Carl Sierp (Villisca)	UT	5,000
Valley Restaurant/Sierp Oil/Robert Radford (Villisca)	UT	2,300
Trust Trucking Corp.; Jim and Brenda Huyser (Lovilia)	UT	840
Orlo Stewart, et.al. (Webster Co.)	SW	1,000
Porcine-New Way Co.	WW	4,000
George Krakow; Elmer Krakow (Marengo)	UT	1,275
J.P. Scherrman, Inc. (Farley)	UT	1,160
Walnut Grove Water Company (Davenport)	WS	2,000
Lester D. Davis & Evelyn McKelvogue (Warren Co.)	AQ/SW	5,000
Waverly Gravel & Ready-Mix aka Shell Rock Sand & Gravel (Shell Rock)	AQ	3,000
Anderson Excavating & Wrecking Co. (Waterloo)	AQ	1,000
Farmers Hybrid Companies, Inc. (Keokuk Co.)	WW	4,500
L.F. & Betty Everett; Vern Barker & Donald Knotts, d/b/a Barker & Knotts Construction; and Gene Philips (Ottumwa)	AQ	10,000
Eli Shada (Anamosa)	UT	1,328
James and Robert Brock d/b/a B & B Oil (Ringsted)	UT	1,685
M and D Tire Processing, Inc. (Decatur Co.)	SW	10,000
Merrill, City of	AQ	5,000
Harold Lee (Keokuk Co.)	WW	3,300
Riverside Plating Company (Shell Rock)	WW	1,500
Economy Solar Corp. (Monticello)	AQ	5,000
Lyle Lorensen (Garwin)	HC	4,000
Technical Asbestos Control, Inc. (Davenport)	AQ	1,000
Toys "R" Us, Inc. (Davenport)	UT	5,560
Coastal Mart, Inc.-Store #1081 (Davenport)	UT	5,320
John Deere Company (Waterloo)	AQ	1,000
Enviro Safe Air, Inc. (Sioux City)	AQ	2,000
Waste Management & Design, Inc. (Webster City)	WW	10,000
Parkwest, Ltd.; Wilbur Numelin; Ricky Lee Anderson (Clear Lake)	UT	2,280
Country Stores of Carroll, Ltd.; Roger Kanne (Carroll)	UT	10,000
Elite, Ltd.; Roger Kanne; James Pietig (Coon Rapids)	UT	3,500
Elite, Ltd.; Roger Kanne; James Pietig (Logan)	UT	3,288
HiWay Texaco, Ltd.; Roger Kanne; Rick Kanne (Bagley)	UT	5,000
Solvay Animal Health, Inc. (Charles City)	AQ/SW	5,000
Cedar Rapids, City of; YWCA (Cedar Rapids)	AQ	500
Iowa-Illinois Thermal Insulation; American Demolition Corp. (Cedar Rapids)	AQ	6,000
Arlo Becker d/b/a Becker's Auto Salvage (Benton Co.)	AQ	3,000
Galva Union Elevator Co. (Galva)	UT	3,100
Farmers Hybrid Companies, Inc. (Hamilton Co.)	WW	5,000
Sara Lee Corporation (New Hampton)	WW	10,000

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Creston Commercial Feeders, Inc. (Union Co.)	WW	1,000
Creston, City of	WW	1,000
Clarke County Sanitary Landfill	SW	10,000
New Hampton, City of	WW	10,000
Joseph L. Ranker; Daryl Hollingsworth (Indianola)	UT	4,000
Larry and Kelly Miller (Ogden)	UT	2,000
K-Mart Corporation/Store #7261 (Des Moines)	UT	6,000
Frontier Cooperative Herbs (Vinton)	AQ	5,000
R.D.J. Farms; Donald Vogt (Van Horne)	UT	1,300
Home Oil Stations; Otto-Matic; Larence Otto (Burlington)	UT	3,000
Winfield S. McKinney; Gary L. McKinney (Union Co.)	WW	1,000
Pella Construction Co., Ltd. (Pella)	WW	10,000
Louisa-Muscatine Community School (Letts)	WS	1,000
Cotter Elementary School (Cotter)	WS	550
Dickens, City of	WS	550
Colesburg, City of	WS	550
Tom Wiseman (Sheffield)	UT	3,500
Woodlyn Hills (Algona)	WS	275
Lakewood Utilities (Ft. Dodge)	WS	550
Village Oaks Homeowners Assn. (Blue Grass)	WS	550
Nishna Valley Community School (Hastings)	WS	500
Pathway Christian School (Kalona)	WS	275
South High Point Well Assn. #2 (Iowa City)	WS	110
Louis Rich Company (Sigourney)	WS	500
Pleasant Creek Estates Assn. (Shellsburg)	WS	275
Kessler's Homeowners Assn. (Iowa City)	WS	275
Woodland Heights Homeowners Assn. (Iowa City)	WS	110
Iowa City Regency Mobile Home Park (Iowa City)	WS	1,000
Bar Jac Mobile Home Park (Perry)	WS	550
Woodburn, City of	WS	550
TOTAL		286,126

The following administrative penalties were paid last month:

NAME/LOCATION	PROGRAM	AMOUNT
Andrew Jackson Care (Bellevue)	WS	100
Elberon, City of	WW	500
Terry Beaird d/b/a Curry Environ. Services (Marion)	AQ	500
Roquette America, Inc. (Keokuk)	WW/HC	2,000
Country Estates Mobile Home Park (Council Bluffs)	WS	275
Wells Dairy, Inc. (LeMars)	WW	2,000
Winter Mobile Home Park (New Hampton)	WS	100
Castana, City of	WS	100
Paul Nagle d/b/a Cyclone Steeple Jacks (Nevada)	AQ	1,500
Cyclone Steeple Jacks Inc. (Nevada)	AQ	250
Stockport, City of	WS	550
Hickory Hills Subdivision (Ames)	WS	275
Armour Food Company (Britt)	WS	550
Armour Swift-Eckrich (Britt)	WW	1,000
Squaw Valley Homeowners Assn. North (Ames)	WS	100
TOTAL		9,800

DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
ATTORNEY GENERAL REFERRALS
August 1, 1994

Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
Achenbach, Mark Rockford (2)	Underground Tank	Site Assessment	Order	Referred	6/20/94
Advanced Technologies Corp. Cedar Falls (1)	Air Quality	Asbestos	Referred to Attorney General	Referred	3/21/94
American Asbestos Training Center, Ltd. Monticello (3)	Air Quality	Asbestos	Referred to Attorney General	Referred	3/21/94
Ampel Corporation Des Moines (5)	Air Quality	Construction Without Permit Permit Conditions	Referred to Attorney General	Referred Petition Filed Trial Date	12/20/93 2/21/94 10/18/94
Bodwell, Robert Winterset (5)	Updated Underground Tank	Site Assessment	Order/Penalty	Referred Petition Filed	2/21/94 7/21/94
Browns, Jay Murray (5)	Underground Tank	Site Assessment	Order/Penalty	Referred	6/20/94
Carlson, Don d/b/a Carlson Oil Co. Armstrong (3)	Underground Tank	Site Assessment	Order/Penalty	Referred	3/21/94

Name, Location and Region Number		Program	Alleged Violation	DNR Action	New or Updated Status	Date
Carson Grain & Implement Co. Coggon (1)		Underground Tank	Site Assessment	Order/Penalty	Referred Petition Filed	10/18/93 12/09/93
Carter Lake, City of (4)	Updated	Drinking Water	Monitoring/Reporting; Certified Operator	Order/Penalty	Referred Motion for Judgment Hearing	5/16/94 7/12/94 8/01/94
Chicago & Northwestern Transportation Co.		Hazardous Condition	Remedial Action	Order	Petition for Judicial Review Petition for Judicial Review Petition for Judicial Review Order/Change Venue to Hardin Co. Oral Arguments Order Affirmed Supreme Court Appeals Filed	8/19/91 8/14/91 9/16/91 11/21/91 3/10/93 4/23/93 5/23/93
Blue Chip Enterprises						
Hawkeye Land Company Iowa Falls (2)						
Cota Industries, Inc. Des Moines (5)		Hazardous Condition	Remedial Action	Order	Referred Petition for Judicial Review Order Granting Motion to Dismiss Notice of Appeal Affirmed by Supreme Court Petition Filed	4/15/91 4/18/91 7/23/91 8/13/91 10/21/92 4/16/93
Des Moines, City of (5) v. IDNR		Solid Waste	DNR Defendant	Defense	Petition Filed Application for Stay DNR Answer	1/18/94 1/18/94 2/08/94
Dunton, Lloyd Iowa County (6)		Solid Waste	Illegal Disp.	Order/Penalty	Referred Petition Filed	12/16/91 8/26/92
Ecology Enterprises, Inc; Hollis D. DeVoe; Michael Murray; Robert Rausch Chickasaw County (1)	Updated	Solid Waste	Illegal Disposal	Referred to Attorney General	Referred Petition Filed Trial Date	6/15/92 3/04/93 10/19/94
Economy Solar Corp. Ft. Madison (6)		Air Quality	Asbestos	Referred to Attorney General	Referred	3/21/94
Economy Solar Corp. Waterloo (1)		Air Quality	Asbestos	Referred to Attorney General	Referred	3/21/94
Ervin, Don Webster County (2)		Solid Waste	Operation Without Permit	Order/Penalty	Referred Judgment for \$1,000 Execution & Order to Levy Application to Condemn Funds Partial Payment Received (\$331)	4/16/90 7/13/90 9/28/90 11/27/90 11/30/90
			Permit Violations	Referred to Attorney General	Referred Temporary Injunction Order of Contempt Order Granting Stay Contempt Reversed (Court of Appeals) Application for Further Review Supreme Ct. Reversed Ct of Appeals Order to Serve Sentence Application for Hearing Order Denying Reconsideration of Sentence Trial Date	9/16/91 9/18/91 12/20/91 12/26/91 9/29/92 10/16/92 2/17/93 3/17/93 3/18/93 3/19/93 1/10/95
Ervin, Don (Continued)						
Giese, William Giese Construction Co. Ft. Dodge (2)	New	Flood Plain Wastewater	Unauth. Construction Prohibited Discharge	Referred to Attorney General	Referred	7/18/94
Hall, Dale Des Moines (5)	Updated	Underground Tank	Site Assessment	Order/Penalty	Referred Petition Filed	2/21/94 7/21/94
Halsne, Grant d/b/a Halsne, Inc. Decorah (1)		Underground Tank	Site Assessment	Order	Referred Petition Filed	10/18/93 12/06/93
Harrison County Board of Supervisors (4)	Updated	Solid Waste	Operating Violations	Referred to Attorney General	Referred Petition Filed	2/21/94 7/11/94
International Hydroform Pella (5)		Underground Tank	Remedial Action	Order	Referred Petition Filed	5/17/93 1/18/94
Jack Link Truck Line, Inc. Dyersville (1)		Underground Tank	Closure Investigation	Order/Penalty	Referred Petition Filed	5/17/93 1/07/94

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DEPARTMENT OF NATURAL RESOURCES ENVIRONMENTAL PROTECTION COMMISSION ATTORNEY GENERAL REFERRALS August 1, 1994

Name, Location and Region Number		Program	Alleged Violation	DNR Action	New or Updated Status	Date
Jarvis, Marjorie and Terry Strong Council Bluffs (4)		Underground Tank	Closure Investigation	Order	Referred Petition Filed	11/15/93 2/14/94
Landfill of Des Moines, Inc. Des Moines #4 (5)	Updated	Solid Waste	Compliance Schedule/Other	Order/Penalty	Referred Petition Filed Trial Date Consent Decree (\$6,500/Civil & Injunction)	12/16/91 9/01/92 7/06/94 7/05/94
Landfill of Des Moines, Inc. Des Moines #5 (5)	Updated	Solid Waste	Compliance Schedule/Other	Order/Penalty	Referred Petition Filed Trial Date Consent Decree (\$6,500/Civil & Injunction)	5/18/92 9/01/92 7/06/94 7/05/94
Martinez, Vincent d/b/a Martinez Sewer Service Davenport (6)		Hazardous Condition	Remedial Action	Order/Penalty	Referred Petition Filed	2/17/92 12/21/92
Bob McKiniss Excavating & Grading v. IDNR		Hazardous Condition	DNR Defendant	Defense	Suit Filed DNR Motion to Dismiss Ruling on Motion to Dismiss and Bifurcation Ruling on Phase I Trial	3/12/91 5/01/91 3/26/92 9/01/93
McNear, Wilbur; Dennis Stoner; Jack & Betty Hawn (4)		Underground Tank	Site Assessment	Referred to Attorney General	Referred	2/21/94
Moore, Ron d/b/a 63-180 Cafe Malcom (5)	Updated	Drinking Water	Mtrg/Rprt Nitrate; Other	Order/Penalty	Referred Payment Schedule (\$1,000/Admin.) Motion for Judgment	11/16/92 4/02/93 6/30/94
Northwood Cooperative Elevator; Worth Co. Co-op Oil		Hazardous Condition	DNR Defendant	Defense	Suit Filed DNR Answer Consolidation Order	12/07/92 12/28/92 1/05/93
Amoco					Suit Filed DNR Answer Consolidation Order	12/07/93 12/28/92 3/10/93
v. IDNR					Suit Filed DNR Answer Consolidation Order	12/15/92 1/04/93 3/10/93
Pringle, Michael and Brenda d/b/a Follet's Tap Camanche (6)		Drinking Water	Mtrg/Rprt Bacteria/Nitrate	Referred to Attorney General	Referred Petition Filed Consent Decree (\$2,000/Civil & Injunction) Motion to Vacate Judgment Motion Denied	6/15/92 3/05/93 2/04/94 2/16/94 2/28/94
Reed, Verna and Don; Andrea Silsby Union Co (4)		Solid Waste	Illegal Disposal	Order/Penalty	Referred	6/20/94
Pruess, Harlan Cedar Co (6)		Hazardous Condition	Clean-Up Costs	Defense	Suit Filed DNR Answer	7/27/93 8/13/93
Saak, Louis d/b/a Saak Oil Co. Baxter (5)		Underground Tank	Site Assessment	Order/Penalty	Referred	3/21/94
Smith, Franklin; Smith Oil Company Mt. Ayr (5)	Updated	Underground Tank	Closure Investigation	Order/Penalty	Referred Petition Filed	4/18/94 7/25/94
Starling, Vern Perry (5)	Updated	Solid Waste	Illegal Disposal	Order	Referred Petition Filed Trial Date	11/16/92 4/14/93 8/17/94
Troutman, Jerry L. & Richard Van Buren Co (6)		Solid Waste	Illegal Disposal	Order	Referred Petition Filed	10/18/93 2/15/94
Waterloo, City of (1)		Wastewater	Discharge Limits	Referred to Attorney General	Referred Petition Filed	11/15/93 12/30/93

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ATTORNEY GENERAL REFERRALS
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Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
Waterloo Community School District Waterloo (1)	Air Quality	Asbestos	Referred to Attorney General	Referred	3/21/94
Yentes, Clifford Council Bluffs (4)	Solid Waste	Illegal Disposal	Referred to Attorney General	Referred Petition Filed	4/20/92 11/23/92
Young, David Sierp Oil Company Casey (5)	Underground Tank	Closure Investigation	Order/Penalty	Referred Petition Filed	5/17/93 12/14/93

DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES
August 1, 1994

DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
1-23-86	Delwein Soil Service	Administrative Order	WW	-----	Hearing continued.
2-05-88	Warren County Brenton Bank	Administrative Order	UT	Wornson	Awaiting revised SCR.
10-20-88	Worth Co. Co-Op Oil Northwood Cooperative Elevator Sunray Refining and Marketing Co.	Administrative Order	HC	Murphy	Ruling on dismissal/intervention 11/16/92. Petition for Judicial Review. Judicial review hearing continued.
6-08-89	Shaver Road Investments	Site Registry	HW	Murphy	Settlement proposed.
6-08-89	Hawkeye Rubber Mfg. Co.	Site Registry	HW	Murphy	Settlement proposed.
6-08-89	Lehigh Portland Cement Co.	Site Registry	HW	Murphy	Hearing continued. Discovery initiated.
6-22-89	Chicago & Northwestern Transportation Co. Hawkeye Land Co. Blue Chip Enterprises	Administrative Order	HC	Murphy	District court affirms Dept. - 4/23/93. Appealed to Iowa Supreme Court.
10-24-89	Farmers Cooperative Elevator Association of Sheldon	Site Registry	HC	Murphy	Settlement near.
11-03-89	Bridgestone/Firestone, Inc.	Site Registry	HC	Murphy	Hearing continued pending negotiations.
4-23-90	Sioux City, City of	Administrative Order	WW	Hansen	4/94-Letter to City regarding resolving appeal.
5-08-90	Texaco Inc./Chemplex Co. Site	Site Registry	HW	-----	Settlement proposed.
5-14-90	Van Dusen Airport Services	Administrative Order	HC	-----	Compliance initiated.
5-14-90	Alter Trading Corp. (Council Bluffs)	Administrative Order	SW	Kennedy	Negotiating before filing.
5-15-90	Des Moines, City of	Administrative Order	HC	-----	Hearing continued. Settlement proposed.
6-20-90	Des Moines, City of	NPDES Permit Cond.	WW	Hansen	City response under review by EPD.
7-02-90	Keokuk Savings Bank and Trust Keokuk Coal Gas Site	Site Registry	HW	-----	Hearing continued.
7-30-90	Key City Coal Gas Site; Murphy Trust & Howard Pixler	Site Registry	HW	-----	Decision appealed (Pixler). Motion to intervene denied 2/17/91 (Murphy Trust)
8-01-90	J.I. Case Company	Site Registry	HW	Preziosi	Hearing continued.

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DEPARTMENT OF NATURAL RESOURCES ENVIRONMENTAL PROTECTION COMMISSION CONTESTED CASES August 1, 1994

DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
9-12-90	Michael & Joyce Maws; George H. Gronau	Administrative Order	UT	Wornson	New party has assumed liability. Will dismiss case upon completion of SCR.
9-20-90	Duane Schwarting	Variance Denial	SW	Kennedy	Hearing continued.
10-15-90	Westside General Store Corp.	Administrative Order	UT	Wornson	Settlement letter sent to attorney.
10-18-90	Harlan Pruess	Claim	HC	Murphy	Proposed decision - 2/18/93. Appealed to EPC. Affirmed/modified - 6/21/93. Appealed to Cedar County District Court.
12-03-90	United States Gypsum Co. Smitty's Oil	Site Registry	HC	Preziosi	Negotiating before filing.
12-04-90	United States Gypsum Co. Sperry	Administrative Order	SW	Kennedy	Negotiating before filing.
12-27-90	McAtee Tire Service, Inc.	Administrative Order	SW	Kennedy	Hearing continued.
1-07-91	Joe E. Eggers, Jr.; Joe and Mary Eggers	Administrative Order	SW	Kennedy	Hearing continued to further order.
1-09-91	Iowa Southern Utilities	Administrative Order	HC	Preziosi	Hearing continued indefinitely. Working towards settlement.
1-28-91	McDowell Dam #1 & #2	Administrative Order	FP	Clark	Negotiating before filing.
3-22-91	Mitchell Bros. Boars and Gilts	Administrative Order	WM	Murphy	Negotiating before filing.
5-09-91	Oskaloosa Food Products Corp.	Administrative Order	WM	Hansen	To be sent to DIA to be set for hearing.
5-20-91	Great Rivers Coop--Lockridge	Site Registry	HC	Murphy	Settlement proposed.
7-15-91	Des Moines Independent School District - North High School	Site Registry	HC	Murphy	Settlement proposed.
7-24-91	Alter Trading Corp. (Davenport)	Administrative Order	SW	Kennedy	Negotiating before filing.
7-27-91	Chicago North Western; Dennis Bell; Phillips Petroleum; Amoco Oil Co.	Administrative Order	HC	Murphy	Hearing continued. Compliance nearing completion.
9-25-91	Archer Daniels Midland	Administrative Order	SW	Kennedy	Negotiating before filing.
1-07-92	Wiota, City of	Administrative Order	WS	Hansen	2/93 revised report reviewed by WS - new schedule proposed.
1-17-92	Hickory Hollow Water Co.	Administrative Order	WS	Hansen	Settlement offer to WS. Counter offer 7/13/93. Dept. response on 8/3/93. Facility response 8/11/93. 12/93 Dept. letter to attorney. Construction permit issued for fluoride removal.
1-30-92	Center Oil Co., Inc.	Administrative Order	HC	Murphy	Negotiating before filing.
3-30-92	White Consolidated Industries	Administrative Order	WM	Hansen	Negotiating before filing.
4-09-92	Wayne Transports, Inc.	Administrative Order	WM	Murphy	Negotiating before filing.
4-15-92	Mulgrew Oil Co.	Administrative Order	HC	Wornson	Negotiating before filing.
4-24-92	Charles A. Kerr	Administrative Order	UT	Wornson	Financial inability claimed. Requesting document.
4-30-92	Poweshiek Water Assoc.	Administrative Order	WS	Hansen	Negotiating before filing.
5-05-92	Plymouth Cooperative Oil Co.	Administrative Order	WM	Murphy	Negotiating before filing.
5-12-92	Paris & Sons, Inc.	Site Registry	HC	Murphy	Negotiating before filing.
5-15-92	Heartland Lysine, Inc.	Tax Certification	AQ	Preziosi	Negotiating before filing.
5-27-92	Beckett Chevrolet-Olds	Administrative Order	UT	Wornson	Financial inability claimed. Request documents.
6-23-92	Chickasaw County Board of Supervisors, Chickasaw Co. SLF	Administrative Order	SW	Kennedy	Negotiating before filing.

E94Aug-29

August 1994

DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES
August 1, 1994

Commission Minutes

DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
7-01-92	Des Moines Independent School District-North High	Administrative Order	WW	Murphy	Settlement proposed.
8-06-92	Randy Bonin and Vickie Brannick	Administrative Order	SW	Kennedy	Negotiating before filing.
8-24-92	Dean Hoeness d/b/a Hoeness & Sons	Administrative Order	UT	Wornson	Financial inability claimed. Request documents.
9-03-92	Case Power and Equipment	Administrative Order	WS	Hansen	Case proposal to resolve appeal to Dept.
9-21-92	Buffalo Bill Estates, Inc.	Administrative Order	WS	Clark	Settlement close.
9-21-92	ITWC	Administrative Order	AQ	Preziosi	Negotiating before filing.
9-22-92	King's Terrace MHP	Administrative Order	WW	Hansen	Negotiating before filing.
10-06-92	Lloyd Decker	Administrative Order	SW	Kennedy	Negotiating before filing.
10-12-92	Eldon Krambeck	Administrative Order	AQ	Preziosi	Settlement close.
11-13-92	Tracy Below	Administrative Order	WW	Clark	Hearing continued.
11-16-92	Grand Laboratories Inc.	Administrative Order	WW	Hansen	Unacceptable revised work plan submitted. Request acceptable plan by 4/29/94. Letter from facility's attorney 4/94. 5/94 letter to F.O. 3 from company regarding site assessment.
11-16-92	Frank Hulshizer	Administrative Order	SW	Kennedy	Negotiating before filing.
12-14-92	Quantum	Permit Conditions	WW	Hansen	3/30/93 Dept. settlement offer made. 5/03/93 - response from company. Company collecting data. Company response submitted 12/93.
1-22-93	Pirelli Armstrong Tire Co.	Administrative Order	SW	Kennedy	Negotiating before filing.
1-28-93	Midway Oil Company (Indianola)	Administrative Order	UT	Wornson	Sent settlement letter.
1-28-93	Raven Corp.; Midway Oil Co. (Toledo)	Administrative Order	UT	Wornson	Negotiating penalty.
1-29-93	Case Corporation	Permit Conditions	WS	Hansen	3/1/93 Case proposal to DNR to resolve appeal.
2-19-93	TRS Industries, Inc.; City of Des Moines	Administrative Order	SW	Kennedy	Decision received 9/13/93. Appealed to EPC. Affirmed 12/20/93. Petition for judicial review.
3/09-93	James, William d/b/a Bill James Agencies	Administrative Order	SW	Kennedy	Negotiating before filing.
3/11/93	Land Renu, Inc.	Administrative Order	SW	Wornson	Compliance complete. Negotiating penalty.
4/05/93	Mapleton, City of	WW Operator Certification	WW	Hansen	Under review by EPD - letter drafted.
4/09/93	Economy Solar Corp.	Administrative Order	AQ	Preziosi	EPC decision in favor of DNR. No appeal received as of 7/1/94.
4/09/93	Fine Oil Co., Inc.	Administrative Order	AQ/HC WW	Preziosi	Settlement reached pending submission of certain financial documents.
4/09/93	Wells Dairy, Inc.	Administrative Order	WW	Hansen	Amended order issued resolving appeal. Settled.
4/12/93	LeMars, City of	Administrative Order	WW	Hansen	Plan of action submitted. Reviewed by EPD. Construction permit issued. 2/94-Schedule submitted by City for remaining construction.
4/16/93	Phil McMains	Administrative Order	SW	Kennedy	Negotiating before filing.
4/19/93	Council Bluffs, City of	Permit Conditions	WW	Hansen	Under review by EPD.
4/21/93	Donald Udell	Administrative Order	SW	Kennedy	Negotiating before filing.
4/26/93	Crane Co.	Administrative Order	SW	Kennedy	Negotiating before filing.

E94Aug-30

Environmental Protection Commission Minutes

August 1994

 DEPARTMENT OF NATURAL RESOURCES
 ENVIRONMENTAL PROTECTION COMMISSION
 CONTESTED CASES
 August 1, 1994

DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
5/23/93	Fellmer Motors	Administrative Order	FP	Clark	Negotiating before filing.
6/17/93	Lawrence Schmitz, Gerald Schmitz, Duane Schmitz, Vernon Schmitz, and Ruth Ann Frieders	Permit Issuance	FP	Clark	Hearing held 5/20 & 31/94.
6/21/93	Jacobs Energy Corp., Inc.	Permit Denial	AQ	Preziosi	Negotiating before filing.
6/23/93	Clement Auto & Truck, Inc.	Administrative Order	UT	Wornson	ALJ decision granting default on appeal.
6/29/93	Mel-Ray MHP and Sales	Administrative Order	WW	Clark	Negotiating before filing.
7/06/93 7/28/93	Dennis E. Good Berniece K. Nease	Administrative Order	UT	Wornson	Negotiating before filing.
7/09/93	Oakwood Park Water, Inc.	Administrative Order	WS	Hansen	Proposal by facility's attorney 7/13/93. Response by Dept. 8/3/93. Response by facility 8/11/93. 12/93 Dept. letter to attorney. Construction permit issued 2/94.
7/20/93	Valley Restaurant/Sierp Oil; Mary & Carl Wierp; and Robert Radford	Administrative Order	UT	Wornson	Hearing set for 9/26/94. Petitions due 8/8/94.
7/23/93	Blue Spruce Feedlots, Inc.	Administrative Order	WW	Clark	Negotiating before filing.
7/27/93	Trust Trucking Co.	Administrative Order	UT	Wornson	Hearing set for 6/28/94. Motion for default filed. Briefs due 8/8/94.
8/03/93	Grain Processing Corp.	Administrative Order	AQ	Preziosi	Area declared nonattainment. Hearing continued indefinitely.
8/06/93	Muscatine Power & Water	Administrative Order	AQ	Preziosi	Area declared nonattainment. Hearing continued indefinitely.
8/06/93	Monsanto	Administrative Order	AQ	Preziosi	Settlement close. Drafting consent order.
8/24/93	Green Valley Chemical	Permit Conditions	WW	Hansen	Company to do stream survey 8/94.
9/09/93	Ames Transit Authority	Permit Conditions	AQ	Preziosi	Negotiating before filing.
10/15/93	Bedford, City of	Plant Classification	WW	Hansen	Under review by EPD.
10/25/93	Porcine-New Way Co.	Administrative Order	WW	Clark	Negotiating before filing.
11/04/93	Silver City	Permit Conditions	WS	Clark	Negotiating before filing.
11/15/93	J.P. Scherrman, Inc.	Administrative Order	UT	Wornson	Penalty letter sent.
11/16/93	Iowa Southern Utilities	Permit Conditions	AQ	Preziosi	Settlement close.
11/17/93	Osceola, City of	Permit Conditions	WW	Hansen	Variance request by City regarding monitoring requirements. Under review by EPD.
11/22/93	Walnut Grove Water Co.	Administrative Order	WS	Hansen	Settlement offer sent to company's attorney. Offer accepted. Consent order sent for signatures. 5/94 order issued to facility.
12/13/93	Lester R. Davis and Evelyn McKelvogue	Administrative Order	AQ/SW	Kennedy	Settlement pending.
12/23/93	Waverly Gravel & Ready-Mix aka Shell Rock Sand and Gravel	Administrative Order	AQ	Preziosi	Negotiating before filing.
1/03/94	Farmers Hybrid Co., Inc.	Administrative Order	WW	Clark	Negotiating before filing.
1/06/94	L.F. Everett and Betty Everett	Administrative Order	AQ	Preziosi	Negotiating before filing.
1/07/94	Eli Shada	Administrative Order	UT	Wornson	Negotiating before filing.

E94Aug-31

August 1994

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DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES
August 1, 1994

DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
1/13/94	James and Robert Brock d/b/a B & B Oil Co.	Administrative Order	UT	Wornson	Hearing set for 7/7/94.
1/18/94	H & D Tire Processing, Inc.	Administrative Order	SW	Kennedy	Settlement pending.
1/18/94	Merrill, City of	Administrative Order	AQ	Preziosi	Negotiating before filing.
1/19/94	Cottage Reserve Corp.	Permit Conditions	WS	Clark	Negotiating before filing.
1/20/94	Gene Phillips d/b/a Phillips Sanitation	Administrative Order	AQ	Preziosi	Negotiating before filing.
1/27/94	Archer-Daniels-Midland	Permit Conditions	AQ	Preziosi	Negotiating before filing.
2/02/94	John Deere Waterloo Works	Tax Certification	WW	Hansen	Negotiating before filing.
2/09/94	Harold Lee	Administrative Order	WW	Clark	Negotiating before filing.
2/10/94	Lyle Lorenson	Administrative Order	UT	Wornson	Follow-up with attorney regarding penalty.
2/14/94	Economy Solar Corp 94-AQ-04	Administrative Order	AQ	Preziosi	Hearing set for 9/13/94.
2/15/94	Riverside Plating	Administrative Order	WW	Hansen	Settlement offer received from company regarding penalty.
2/21/94	Toys "R" Us	Administrative Order	UT	Wornson	Compliance initiated. Penalty appealed.
2/25/94	John Deere Waterloo Works	Administrative Order	AQ	Preziosi	Settlement close.
2/28/94	Coastal Mart Davenport	Administrative Order	UT	Wornson	Deficient SCR. Letter sent. Penalty on appeal.
3/01/94	Parkwest Ltd.; Wilbur Mumelin; Ricky Lee Anderson	Administrative Order	UT	Wornson	Referred to DIA.
3/01/94	Enviro Safe Air, Inc.	Administrative Order	AQ	Preziosi	Settlement close.
3/02/94	Waste Mgmt. & Design, Inc.	Administrative Order	WW	Clark	Negotiating before filing.
3/03/94	Burlington Northern Railroad	Tax Certification	WW	Hansen	Negotiating before filing.
3/08/94	Country Stores of Carroll, Ltd.; Elite Ltd.; Roger Kanne; James Pietig (Logan) (Coon Rapids)	Administrative Order	UT	Wornson	SCR overdue. Letter sent. Penalty on appeal.
3/10/94	Solvay Animal Health, Inc.	Administrative Order	AQ/SW	Kennedy	Settlement pending.
3/15/94	Ames, City of	Permit Conditions	WS	Hansen	5/94 letter from City discussing appeal. Appeal resolved.
3/15/94	Iowa-Illinois Thermal Insulation, Inc.	Administrative Order	AQ	Preziosi	Settlement close.
3/16/94	Cedar Rapids, City of; Cedar Rapids YMCA	Administrative Order	AQ	Preziosi	Settlement close.
3/17/94	Arlo Becker d/b/a Becker's Auto Salvage	Administrative Order	AQ	Kennedy	Settlement pending.
4/19/94	Galva Union Elevator Co.	Administrative Order	UT	Wornson	Negotiating before filing.
5/04/94	Armour Food Co.	Administrative Order	WW	Hansen	Negotiating before filing.
5/06/94	Creston Commercial Feeders	Administrative Order	WW	Clark	Negotiating before filing.
5/09/94	Sara Lee Corporation	Administrative Order	WW	Murphy	Negotiating before filing.
5/09/94	Farmers Hybrid Co., Inc.	Administrative Order	WW	Clark	Negotiating before filing.
5/10/94	Clarke County SLF	Administrative Order	SW	Kennedy	Negotiating before filing.

Environmental Protection Commission Minutes

August 1994

DEPARTMENT OF NATURAL RESOURCES ENVIRONMENTAL PROTECTION COMMISSION CONTESTED CASES August 1, 1994

DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
5/11/94	Creston, City of	Administrative Order	WW	Hansen	Negotiating before filing.
5/12/94	Burlington Basket Co.	Permit Denial	AQ	Preziosi	Negotiating before filing.
5/19/94	New Hampton, City of	Administrative Order	WW	Murphy	Negotiating before filing.
5/23/94	Newton, City of; Leland C. Faidley; Robert & Lynn Van Maaren; Doyle Churchill; Lucille Loar; Melburn & Jayne Clymer	Permit Issuance	FP	Clark	Negotiating before filing.
5/27/94	Joseph L. Ranker; Darl Hollingsworth	Administrative Order	UT	Wornson	Negotiating before filing.
5/31/94	Elberon, City of	Administrative Order	WW	Clark	Settled.
6/03/94	Maquoketa, City of	Administrative Order	WW	Hansen	Negotiating before filing.
6/08/94	Larry & Kelly Miller	Administrative Order	UT	Wornson	Compliance initiated.
6/10/94	Frontier Cooperative Herbs	Administrative Order	AQ	Preziosi	Negotiating before filing.
6/14/94	K-Mart Corp./Store #7261	Administrative Order	UT	Wornson	Negotiating before filing.
6/15/94	Winfield Scott McKinney; Gary L. McKinney d/b/a Harmony Creek Farms	Administrative Order	WW	Hansen	Negotiating before filing.
6/15/94	Lakeview Heights	Permit Conditions	WS	Hansen	Negotiating before filing.
6/20/94	R.D.J. Farms and Donald Vogt	Administrative Order	UT	Wornson	Negotiating before filing.
6/24/94	Griffith Oil Corp.	Administrative Order	UT	Wornson	Compliance initiated.
6/24/94	Larence Otto	Administrative Order	UT	Wornson	Negotiating before filing.
6/28/94	Woodburn, City of	Administrative Order	WS	Hansen	New case.
6/29/94	Colesburg, City of	Administrative Order	WS	Hansen	New case.
7/01/94	Pella Construction Co.	Administrative Order	WW	Hansen	New case.
7/01/94	Louisa-Muscatine Community School District	Administrative Order	WS	Clark	New case.
7/05/94	Cotter Elementary School	Administrative Order	WS	Clark	New case.
7/05/94	Iowa City Regency MHP	Administrative Order	WS	Clark	New case.
7/07/94	Rose Bar Tire Shredding	Administrative Order	SW	Kennedy	New case.
7/12/94	Woodlyn Hills	Administrative Order	WS	Hansen	New case.
7/12/94	Tom Wiseman	Administrative Order	UT	Wornson	New case. Appeal untimely.
7/15/94	Village Oaks Homeowners	Administrative Order	WS	Hansen	New case.
7/19/94	Lakewood Utilities	Administrative Order	WS	Clark	New case.
7/20/94	Pathway Christian School	Administrative Order	WS	Clark	New case.
7/20/94	Woodlyn Heights Homeowners	Administrative Order	WS	Kennedy	New case.
7/20/94	Pleasant Creek Estates	Administrative Order	WS	Hansen	New case.
7/21/94	Hickory Hills Subdivision	Administrative Order	WS	Hansen	New case.
7/21/94	Green Acres MH Villa 1	Administrative Order	WS	Clark	New case.
7/25/94	Nishna Valley Schools	Administrative Order	WS	Clark	New case.
7/25/94	South High Point Well #2	Administrative Order	WS	Clark	New case.
7/25/94	Louis Rich Co.	Administrative Order	WS	Hansen	New case.
7/25/94	Kesslers Homeowners Assn.	Administrative Order	WS	Clark	New case.
7/27/94	Bar-Jac Mobile Home Park	Administrative Order	WS	Clark	New case.

Mr. Murphy reviewed the monthly reports noting that there was nothing out of the ordinary on the reports.

Gary Priebe inquired about the Ag Drainage Well Permit rules noting that he understood there is more research taking place prior to adopting the rules.

Darrell McAllister stated that there is some research work being done by ISU on what the nutrient application rates should be in areas that are served by ag drainage wells. They are also trying to get a good method of identifying what pesticides can be used in those areas. An additional factor is the land application of animal wastes and application rates, and staff would like to see these issues settled before moving forward on ag drainage well rules.

Appointment - Dave Sheridan

Dave Sheridan, Attorney General's Office, presented a general overview of the enforcement picture over the past several years. He related that 100% of the EPC and DNR referrals have been sued and/or resolved. Pending cases are as follows: two in 1991; five in 1992; and nine in 1993. In 1994, 20 cases were referred with one being resolved and five have suits filed; one case is on hold and 9 petitions were recently filed. Civil penalty assessments since 1991 were just under 1.8 million dollars, and approximately 1.7 million dollars have been collected.

Charlotte Mohr asked what happens with the fine money.

Mr. Sheridan stated that the money previously went to the General Fund but Chapter 28C set up provisions for it to go into the Emergency Response Fund and Household Hazardous Materials fund.

Rozanne King inquired about the cases which note that a petition has been filed.

Mr. Sheridan stated that a petition is the official document that is filed to commence a lawsuit and in these cases a petition has been filed on behalf of DNR suing folks for civil penalties and injunctive relief.

Clark Yeager inquired as to the status of the Harlan Pruess case and Mr. Sheridan noted that Mr. Murphy won the case and it is now under judicial review.

Chairperson Siebenmann thanked Mr. Sheridan for appearing before the Commission.

INFORMATIONAL ONLY

PROPOSED RULE--CHAPTERS 20 AND 31, AIR QUALITY GENERAL CONFORMITY IN NONATTAINMENT AREAS

Darrell McAllister, Bureau Chief, Water Quality Bureau, presented the following item.

Attached is a Proposed Rule which would add two definitions to Chapter 20, "Scope of Title - Definitions - Forms - Rules of Practice," and add a new Chapter 31, "Nonattainment Areas." Chapter 31 will include requirements for areas which exceed one or more National Ambient Air Quality Standards.

~~This Notice proposes to adopt by reference federal regulations which requires that federal actions conform to the appropriate state implementation plans in nonattainment areas.~~

This is being provided for information only at this meeting. The Commission will be asked to approve a Notice of Intended Action to solicit public comments on these rules at their September meeting.

ENVIRONMENTAL PROTECTION COMMISSION [567]

Notice of Intended Action

Pursuant to the authority of Iowa Code section 455B.133, the Environmental Protection Commission gives Notice of Intended Action to amend Chapter 20, "Scope of Title - Definitions - Forms - Rules of Practice," and add a new Chapter 31, "Nonattainment Areas," Iowa Administrative Code.

Two definitions regarding testing are added to Chapter 20.

The intent of adding a new chapter 30 is to establish at one location in the Iowa Administrative Code requirements for areas which are exceeding one or more of the National Ambient Air Quality Standards.

The provisions of this Notice adopt by reference federal regulations which require that federal actions conform to the appropriate state implementation plans in order to attain the Clean Air Act's air quality goals. Federal action includes engaging in, supporting in any way or providing financial assistance for, licensing or permitting, or approving any activity which does not conform to a state implementation plan.

These rules may impact small businesses.

Any interested person may make written suggestions or comments on the proposed rules on or before _____. Written comments should be directed to Christine Spackman, Iowa Department of Natural Resources, Wallace State Office Building, 900 East Grand, Des Moines, Iowa 50319-0034, FAX (515)281-8895.

A public hearing will be held on _____ at _____ in _____, at which time comments may be submitted orally or in writing.

These rules are intended to implement Iowa Code section 455B.133.

The following rules are proposed.

Item 1. Amend rule 567--20.2 by adding the following definitions:

"EPA conditional method" means any method of sampling and analyzing for air pollutants that has been validated by the administrator but that has not been published as an EPA reference method.

"EPA reference method" means any method of sampling and analyzing for an air pollutant as described in 40 CFR 51, Appendix M, as amended through July 20, 1993; 40 CFR 52, Appendices D and E, as amended through July 20, 1993; 40 CFR 60, Appendix A, as amended through May 17, 1993; 40 CFR 61, Appendix B as amended through June 25, 1993; 40 CFR 63, Appendix A, as amended through October 27, 1993; and 40 CFR 75, Appendices A, B, and H, as amended through July 20, 1993.

Item 2. Add a new chapter 567--31 as follows:

CHAPTER 31 NONATTAINMENT AREAS

567--31.1(455B) Permit requirements relating to nonattainment areas. Special construction permit requirements in nonattainment areas are contained in rules 22.5 and 22.6.

567--31.2(455B) Conformity of general federal actions to the Iowa state implementation plan or federal implementation plan. The federal regulations relating to determining conformity of general federal actions to state or federal implementation plans, 40 CFR 93 subpart B as adopted November 30, 1993, are adopted by reference except 40 CFR 93.151.

31.2(1) Section 93.160(f) is modified to read: written commitments to mitigation measures must be obtained prior to a positive conformity determination and such commitment must be fulfilled.

31.2(2) Section 93.160(g) is modified to read: after the effective date of this rule and EPA's approval of the corresponding state implementation plan change, any agreements, including mitigation measures, necessary for a conformity determination will be both state and federally enforceable. Enforceability through the Iowa state implementation plan will apply to all persons who agree to mitigate direct and indirect emissions associated with a federal action for a conformity determination.

Mr. McAllister explained details of the proposed rule.

Brief discussion followed.

INFORMATIONAL ONLY

PROPOSED RULE--CHAPTERS 40 AND 43, WATER SUPPLY PERMIT FEES

Darrell McAllister, Bureau Chief, Water Quality Bureau, presented the following item.

The Commission will be provided a copy of proposed rules that would modify the current fee structure for water supply operation and construction permits. The proposed rule modifications

contain a new fee structure that revises the existing rules for the assessment of fees for water supply operation permits and are intended to implement legislation passed as Senate File 2314, Section 48. That legislation allows for fees to be collected by the DNR to bring in \$475,000 from July 1, 1994 through June 30, 1995; \$700,000 from July 1, 1995 through June 30, 1996; \$900,000 from July 1, 1996 through June 30, 1997; and \$1,200,000 during each subsequent fiscal year.

~~Senate File 2314 set a target date of December 31, 1994 to have these rules in place. The department will be able to hold hearings on the proposed rules and take public comments as is done in the normal rulemaking process. In order to meet the December 31, 1994 date established in the law, the Commission may be requested to take emergency rulemaking action at some future date.~~

Mr. McAllister distributed copies of the proposed rule along with Proposed Revision of Operation Permit Fee Structure and a list of Examples of Fees Charged. He reviewed that last fall the Commission recognized the need for additional funding and agreed that the department should seek funding to keep the water supply program in the state. The legislature passed the Appropriations Bill with a very strong statement that they want Iowa to maintain primacy in the state. The bill allowed DNR to keep the permit fees on water supply operation and water supply construction permits. It also allowed for increasing the fees to bring in a target amount of \$475,000 this year, \$700,000 next year, \$900,000 the third year, and 1.2 million dollars in the fourth year and all succeeding years. Mr. McAllister stated that in establishing the proposed fees the department has worked with the Local Government Environmental Resource Council made up of the Iowa Association of Municipal Utilities, the American Water Works Association, the Iowa Water Pollution Control Association, Iowa Rural Water Association, Association of Counties, and League of Municipalities. There are also two elected officials from cities that the League of Municipalities has selected for the committee, along with two Board of Supervisor members. The committee also established principles for the department to follow in establishing the water supply fees as follows: 1) that fees should be set on a cost-per-service basis; 2) that there be a base fee for all water supply systems; 3) that a per capita fee for systems would start with supplies serving more than 3,000 population; and 4) that the base fee ratio and the per capita fee ratio would remain the same. Mr. McAllister expanded on details of the proposed rule and proposed fee schedule and related that there are alternative ways of setting fees. He also noted that the proposed rules use 3,300 instead of 3,000 because that number is already built into some of the department's water supply rules and this uniformity would be less confusing.

Gary Priebe asked what impact this will have on private well owners.

Mr. McAllister replied that the rules will have no impact on private owners because it deals only with public water supplies.

Clark Yeager asked if the fees would be passed down the line to rural residents in a case such as where Ottumwa supplies the city of Agency and also rural water areas.

Mr. McAllister stated that the department would charge Ottumwa only for their population. Ottumwa would not be charged a fee that includes the population of Agency. He noted that if a small town buys water from a rural water district and sells it to customers and bills them for it, it is a consecutive water supply and they would have to pay the base fee.

Brief discussion followed.

INFORMATIONAL ONLY

REFERRALS TO THE ATTORNEY GENERAL

Mike Murphy, Bureau Chief, Compliance and Enforcement Bureau, presented the following item.

The Director requests the referral of the following to the Attorney General for appropriate legal action. Litigation reports have been provided to the commissioners and are confidential pursuant to Iowa Code section 22.7(4). The parties have been informed of this action and may appear to discuss this matter. If the Commission needs to discuss strategy with counsel on any matter where the disclosure of matters discussed would be likely to prejudice or disadvantage its position in litigation, the Commission may go into closed session pursuant to Iowa Code section 21.5(1)(c).

- a. Don Grell (Ft. Dodge) - solid waste (tabled)
- b. Buffalo Bill Estates (Camanche) - water supply

Don Grell

Mr. Murphy reminded the Commission that this case was tabled and will need to be removed from the table.

<i>Motion was made by Charlotte Mohr to remove the Don Grell referral from the table. Seconded by Clark Yeager. Motion carried unanimously.</i>

REMOVED FROM TABLE

Mr. Murphy reviewed that this case was brought before the Commission last month because Mr. Grell had begun a solid waste collection operation without getting the required permit. The Commission tabled the case to allow Mr. Grell an opportunity to make progress in acquiring the needed permits. Mr. Murphy noted that the department has received a permit application for a tire processing facility and Mr. Grell has indicated that he is working on applications for other operations using other types of waste, but those applications have not been received yet.

Appointment - Senator Jim Kersten

Senator Jim Kersten stated that he appreciated the Commission granting Mr. Grell extended time to find out what he had to do to be in compliance with the law. He related that he has known Mr. Grell for four years and he is trying to do all he can to start a company to help with recycling. He added that Mr. Grell is trying to comply and learn how to comply with the laws and permits that are necessary. Senator Kersten noted that Mr. Grell has another permit application ready and has given it to Don Paulin today. He asked the Commission to consider letting Mr. Grell continue to move forward and pointed out that Mr. Grell has not taken any solid waste into the facility since June 22. Additionally, some of the questionable items have been removed from the premises. Senator Kersten asked the Commission to allow Mr. Grell to continue to work with staff and that Mr. Grell give the Commission a monthly report on his progress.

Appointment - Don Grell

Don Grell distributed copies of his application for a solid waste disposal permit which he submitted to the department today.

Mr. Murphy stated that receipt of the application is one issue but another concern of staff is that the waste on the premises has to be removed. He related that some of the waste has been removed but about half of it remains. Mr. Murphy circulated photos of the waste that still needs to be removed from the facility.

Mr. Grell stated that he had a five man crew sort the materials to keep anything that could be reused and the remainder was taken to the landfill. He noted that after June 22 he did not take in anything else and he hauled out anything that could sour and smell, keeping only building materials and some cardboard. He related that he has built a dirt berm around the facility to protect it from fire, wind, etc. He indicated that he has \$30,000 invested in the business and does not want to waste the dollars invested.

Mr. Murphy reiterated that staff position is that certain materials should be removed because of possible vermin and litter problems. He noted that the photos were from June 22 adding that generators of the waste were not aware it was being taken there.

Rozanne King asked if generators of the waste can be held liable in situations such as this.

Mr. Murphy responded that generators can be held liable. In this case when generators found out that the waste was being taken to Mr. Grell's facility they demanded it be removed. He added that there was a hauler involved who did not make his clients aware that the waste was not going to the landfill.

Clark Yeager asked if Mr. Grell needs a permit for the pile of feed stored at the facility.

Mr. Murphy stated that Mr. Grell has been very vague as to what he is going to do with the feed and the issue involves not only the feed but the conglomerate of waste.

Charlotte Mohr stated that Mr. Grell has made some progress and if he will continue to make progress as required and report back to the Commission in 30 days, that she would move to allow him that additional time. Seconded by Rozanne King.

Rozanne King asked if the areas of deficiency are noted in a letter to an individual when the department is giving notice of referral.

Mr. Murphy stated that staff procedure is to send a letter identifying the problems and how they can be rectified.

Director Wilson reviewed that in the minutes from last month it stated that if Mr. Grell does not comply within 30 days the Commission could go ahead with referral. He added that does not commit the Commission to refer and there is nothing wrong with allowing another 30 days, but he feels the Commission should look critically at putting a closure on the case at some time in the near future. It needs to come to a successful close.

Gary Priebe agreed that the Commission does need to look at an end to the case, but he feels the Department/Commission need to do anything in their power to help establish recycling facilities.

Kathryn Murphy asked if there is an issue of whether or not all of the waste has to be disposed of.

Mr. Murphy stated that disposal is an issue that needs to be clarified and related that if Mr. Grell is going to get a permit within 30 days and start using the waste, then some of it may not have to be removed.

Chairperson Siebenmann asked that staff work with Mr. Grell to clarify what he needs to do to be in compliance.

Vote on Commissioner Mohr's motion to table the referral carried unanimously.

TABLED FOR 30 DAYS

Senator Kersten thanked the Commission and staff, particularly Clay Swanson, for their flexibility in working with this company.

FINAL RULE--CHAPTERS 60, 62, AND 65, WASTEWATER TREATMENT

Darrell McAllister, Bureau Chief, Water Quality Bureau, presented the following item.

The Commission will be asked to approve revisions to Chapters 60, 62 and 65 of the rules. Chapter 60 of the rules provides general definitions of terms used elsewhere in the rules and rules of practice, including forms, applicable to the department's administration of the wastewater program. Chapter 62 adopts, by reference, the federal effluent and pretreatment standards applicable to industrial discharges and Chapter 65 specifies requirements for animal feeding operations.

The purpose of this rulemaking is to update references in rules 62.4 (455B) and 62.5 (455B) to federal effluent and pretreatment standards which need to be changed to remain current with federal regulations. The change to rule 60.2 (455B) is to update the definition of "Act" to include amendments to the Water Pollution Control Act through July 1, 1994. The change to Chapter 65 is to update the reference in subrule 65.5(9) to rules in Chapter 63 that specify minimum self-monitoring and reporting requirements which may be imposed on animal feeding operations. Revisions to Chapter 63 in 1990 resulted in re-numbering of several rules including subrule 63.4(1) which was re-numbered as subrule 63.5(1). The reference in subrule 65.5(9) to subrule 63.4(1) is no longer accurate and needs to be revised.

The commission is being asked to adopt these rules without public notice and participation. Adoption of federal effluent and pretreatment standards by reference, without public notice, is specifically provided for by rule 62.2 (455B) and Iowa Code section 17A.4(1). Because the commission must adopt effluent and pretreatment standards at least as stringent as the federal standards in order to have EPA approval of the NPDES program, and the Iowa Code section 455B.173(3) prohibits the commission from adopting standards more stringent than the federal standards, public participation in this rulemaking is unnecessary. The change to Chapter 65 simply corrects an incorrect reference to another department rule.

ENVIRONMENTAL PROTECTION COMMISSION

Adopted and Filed Without Notice

Pursuant to the authority of Iowa Code sections 455B.105 and 455B.173, the Environmental Protection Commission amends

567--Chapter 60, "Scope of Title - Definitions - Forms - Rules of Practice," Chapter 567--Chapter 62, "Effluent and Pretreatment Standards: Other Effluent Limits or Prohibitions," and 567--Chapter 65, "Animal Feeding Operations." Iowa Administrative Code.

The purpose of this rule making is to update references in rules 62.4(455B) and 62.5(455B) to federal effluent and pretreatment standards found in 40 Code of Federal Regulations (CFR) which need to be changed due to federal amendments and revisions to 40 CFR. The change to rule 60.2(455B) is to update the definition of "Act" to include amendments to the Water Pollution Control Act through July 1, 1994. The change to rule 65.5(1)(455B) is to correct the reference to rule 63.4(1)(455B) which was re-numbered as rule 63.5(1)(455B) when Chapter 63 was last revised in June, 1991.

In accordance with Iowa Code section 17A.4(2), the commission finds that public notice and participation are unnecessary. Under rule 62.2(455B) the commission has determined previously that good cause exists for exempting from the notice and public participation requirements of

Iowa Code section 17A.4(1) the adoption by reference of certain federal effluent and pretreatment standards. The commission found that public participation is unnecessary since the commission must adopt effluent and pretreatment standards at least as stringent as the enumerated promulgated federal standards in order to have continued approval of the Environmental Protection Agency of the department's NPDES program. Iowa Code section 455B.173(3) requires that the effluent and pretreatment standards adopted by the commission not be more stringent than the enumerated promulgated federal standards.

The commission adopted these rule amendments on July 18, 1993. The amendments will become effective on September 21, 1993.

These rules may have an impact upon small businesses.

These rules are intended to implement Iowa Code Chapter 455B, Division III, Part I.

ITEM 1. Amend rule 567--60.2 to read as follows:

567--60.2(455B) Definitions. The following definitions apply to this title, unless otherwise specified in the particular chapter of this title:

"Act" means the Federal Water Pollution Control Act as amended through July 1, ~~1993~~ 1994, 33 U.S.C. §1251 et seq.

ITEM 2. Amend rule 567--62.4(455B) to read as follows:

567--62.4(455B) Federal effluent and pretreatment standards. The federal standards, 40 Code of Federal Regulations (CFR), revised as of July 1, ~~1993~~ 1994, are applicable to the following categories:

ITEM 3. Amend rule 567--62.5(455B) to read as follows:

567--62.5(455B) Federal toxic effluent standards. The following is adopted by reference: 40 CFR part 129, revised as of July 1, ~~1993~~ 1994.

ITEM 4. Amend subrule 567--65.5(9)(455B) to read as follows:

567--65.5(9)(455B) Permit conditions. Operation permits shall contain conditions considered necessary by the department to assure compliance with all applicable rules of the department, to assure that the waste-disposal system is properly operated and maintained, to protect the public health and beneficial uses of state waters, and to prevent water pollution from waste storage or disposal operations. Self-monitoring and reporting requirements which may be imposed on animal-feeding operations are specified in departmental subrule ~~63.4(1)~~ 63.5(1).

Date

Larry J. Wilson, Director

Mr. McAllister briefly explained the rules noting that the proposed changes are noncontroversial and merely update the rules to refer to the 1994 Code.

Chairperson Siebenmann asked about the accuracy of the date on page 1 of the rule which states that the Commission adopted the rule amendments on July 18, 1993.

Mr. McAllister stated that staff originally planned to bring the rules to the Commission in July and they were delayed to this month, and the date should be corrected to show August 15, 1994.

Motion was made by Kathryn Murphy to approve Final Rule--Chapters 60, 62, and 65, Wastewater Treatment. Seconded by Gary Priebe. Motion carried unanimously.

APPROVED AS PRESENTED

PETITION FOR RULEMAKING - A-TEC RECYCLING, INC.

Mike Murphy, Bureau Chief, Compliance and Enforcement Bureau, presented the following item.

Attached is a Petition for Rulemaking from A-TEC Recycling, Inc. The Petition requests that the Department's definition of "toxic and hazardous wastes" in its solid waste rules be amended by adding "spent fluorescent lamps (bulbs) and high intensity discharge (HID lamps (bulbs)", to conform to EPA's definition of hazardous waste. The Petitioner feels that past advisories from the Department to landfill operators has caused confusion. The Department's position is that its rules do not need to be amended. Instead, the Department will issue an updated advisory relating what federal and state law require, and will continue to do so as the law changes. Attached are a proposed denial of the Petition and the updated advisory.

(A copy of the Petition and the department's response is on file in the department's Records Center)

Mr. Murphy explained that A-TEC Recycling, Inc. petitioned for a rule change to add fluorescent light bulbs and high intensity discharge lamps to the definition of toxic and hazardous wastes in Chapter 100. He explained that the rules do not have to be amended to correct any confusion caused by past advisories. Mr. Murphy noted that EPA continuously

evaluates and proposes to change its dealings with these materials and now has a new proposal out. He added that the Iowa law requires that hazardous wastes, which are defined by the EPA, cannot be disposed in landfills. He related that as federal laws change the department continues to issue new advisories.

Appointment - Ron Newman

Ron Newman, President of A-TEC Recycling, stated that he did some research and could not find any regulations or statutes at either the federal or the state level that would permit the landfilling of RCRA determined hazardous wastes, such as fluorescent or high intensity lamps. He noted that he was surprised in early 1994 that the DNR was advising Iowa waste generators the lamps could be landfilled without first passing TCLP. He noted that he felt the DNR was incorrect and that DNR was actually advising waste generators to violate the EPA RCRA. He related that he met with DNR staff in April and was advised that DNR had no plans to change their position on the issue. He added that he subsequently began the petition for rulemaking. Mr. Newman stated that he disagrees with the proposed ruling on the petition. He stated that previous staff advisory memos have been both contradictory and inconsistent with state and federal regulations. Also, policy at DNR on this issue changes frequently and there is a lack of understanding by landfill operators in regard to the advisories. In closing, Mr. Newman asked the Commission to review his petition and grant the request for rulemaking. He related that rulemaking would be the best mechanism to reduce confusion and ensure compliance on the issue.

Appointment - Amy Couch

Amy Couch, representing the Rural Electric Cooperatives in Iowa, stated that small businesses and low generators of hazardous wastes are exempt from federal regulations with regard to fluorescent light bulbs. She noted that under this exemption the small businesses could send their fluorescent bulbs to landfills but Iowa law states that no matter how small the business, the generator cannot send hazardous wastes to Iowa landfills. Ms. Couch asked that the Commission widely disseminate the memo from Allan Stokes regarding Fluorescent Tube and Ballast Disposal because businesses do not know what they are supposed to do with their fluorescent bulbs. She also encouraged the Commission to wait with a decision on rulemaking until after September 1994 when EPA has new rules on regulation of fluorescent light bulbs. She related that public comments on the EPA regulations are due by September 26, 1994 and it would be better to wait and see what the federal government does.

Mr. Murphy stated that the department strongly resists entering into rulemaking as it is an RCRA hazardous waste issue. He related that staff feel it is appropriate to point out to landfills that EPA has now presumptably defined fluorescent bulbs as hazardous wastes and they should not be accepting them. He added that any wide dissemination of that information should come from EPA. Mr. Murphy noted that the advisory memo will be changed to reflect what the EPA and Iowa laws are and will be sent to the landfills.

Brief discussion followed.

Motion was made by Rozanne King to deny the Petition for Rulemaking by A-TEC Recycling, Inc. Seconded by Clark Yeager. Motion carried unanimously.

PETITION DENIED

REFERRALS TO THE ATTORNEY GENERAL (CONTINUED)

Buffalo Bill Estates

Mr. Murphy briefed the Commission on the history of this case involving water monitoring violations at a public water supply system.

Motion was made by William Ehm for referral to the Attorney General's Office. Seconded by Gary Priebe. Motion carried unanimously.

REFERRED

GENERAL DISCUSSION

Rosebar

Charlotte Mohr asked about the status of Rosebar.

Director Wilson stated that three weeks ago he received a telephone call that Rosebar was planning on closing and they are no longer in operation. Subsequently, he met with some people interested in assuming Rosebar and inquiring whether the Landfill Alternative Grant would be available to them should they take over the company.

Magazine Article

Chairperson Siebenmann pointed out an article in National Geographic relating to the lack of environmental protection/regulations in the Soviet Union and the resulting impacts. She related that it is a very interesting article.

Board & Commission Member Policy

Director Wilson distributed a memo regarding a proposed policy on harassment and discrimination for board and commission members. He encouraged the Commissioners to read it and provide any response to Linda Hanson, Director of the Department of Personnel.

Pollution Hotline

Director Wilson reviewed that at last month's meeting Commissioner Mohr asked about a 1-800 telephone number for reporting environmental violations; the line currently in use is for waste management advice. Staff is providing a cost estimate for installing an 800 number for reporting environmental violations. He related that the Waste Management Assistance Division receives approximately 3,600 calls per year.

Waste Disposal Enforcement

Discussion took place regarding enforcement pertaining to piles of trash around the state and some of the responsibility lying with County Boards of Health.

Director Wilson commented that staff does not actively pursue trying to find landfills or illegal storage of solid waste. Most of the enforcement actions on these are due to the department receiving a complaint or report, or it is very obviously in plain site.

Clark Yeager asked how the Don Grell case came about.

Director Wilson replied that he believes it was reported to the department.

Chairperson Siebenmann asked if Director Wilson could meet with Chris Atchison, Department of Health, regarding local/state jurisdiction in these situations.

ADDRESS ITEMS FOR NEXT MEETING

- ◇ Great River Recycling Center Grant
- ◇ Steve Intlekofer - photos/suspected violations report
- ◇ The Commission discussed meeting informally with DOT on the evening of September 19 to discuss items of mutual interest. Dinner will be at 6:30 p.m. with the meeting to follow.

NEXT MEETING DATES

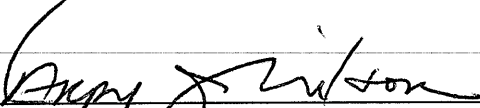
September 19, 1994

October 17, 1994

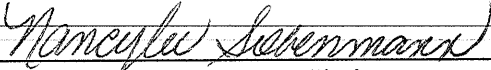
November 21, 1994

ADJOURNMENT

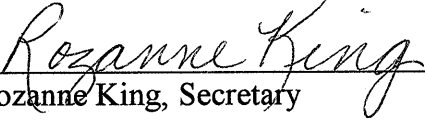
With no further business to come before the Environmental Protection Commission, Chairperson Siebenmann adjourned the meeting at 2:40 p.m., Monday, August 15, 1994.



Larry J. Wilson, Director



Nancy Lee Siebenmann, Chair



Rozanne King, Secretary

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